



Congressional Digest

Washington, D. C.

November, 1925

Congress and the Coal Problem

Recommendations for Legislation in
United States Coal Commission's Report

Federal Regulation Discussed Pro and Con
By Senator Oddie and Senator Reed

Issues in the Anthracite Controversy
Operators vs. Organized Labor

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Alice Gram Robinson, *Editor and Publisher*

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The Congressional Digest

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Congress and the Coal Problem

THE cost of coal has become unbearably high. It places a great burden on our industrial and domestic life. * * * Those responsible for the conditions in this industry should undertake its reform and free it from any charge of profiteering.

The report of the Coal Commission will be before the Congress. It comprises all the facts. It represents the mature deliberations and conclusions of the best talent and experience that ever made a national survey of the production and distribution of fuel. I do not favor Government ownership or operation of coal mines. The need is for action under private ownership that will secure greater continuity of production and greater public protection. The Federal Government probably has no peacetime authority to regulate wages, prices, or profits in coal at the mines or among dealers, but by ascertaining and publishing facts it can exercise great influence.

The source of the difficulty in the bituminous coal fields is the intermittence of operation which causes great waste of both capital and labor. That part of the report dealing with this problem has much significance, and is suggestive of necessary remedies. * * *

The supply of coal must be constant. In case of its prospective interruption, the President should have authority to appoint a commission empowered to deal with whatever emergency situation might arise, to aid conciliation and voluntary arbitration, to adjust any existing or threatened controversy between the employer and the employee when collective bargaining fails, and by controlling distribution to prevent profiteering in this vital necessity. * * * Those who undertake the responsibility of management or employment in this industry do so with the full knowledge that the public interest is paramount, and that to fail through any motive of selfishness in its service is such a betrayal of duty as warrants uncompromising action by the Government.—PRESIDENT COOLIDGE, FROM ANNUAL MESSAGE TO THE CONGRESS, DECEMBER 6, 1923.

Beginnings of the Coal Industry

Extracts from "The Coal Industry," by A. T. Shurick.

THE discovery and first use of coal is shrouded in as much mystery and uncertainty as the discovery of fire itself. The first authentic record of the use of coal is that of Theophrastus, who notes the application of it for smithing purposes in Greece in the year 300 B. C.

Coal was mined quite extensively in England during the Roman invasion, but the earliest authenticated record of its use there is in A. D. 852. It was three centuries before systematic mining was developed. At the end of the thirteenth century coal had come into general use at Newcastle and was being exported to some extent. Scotland began producing in the twelfth century and Germany in the thirteenth. China, with her abundant resources and the natural inventive genius of her populace, was probably mining coal long before Europe.

Our early forefathers constructed trails over the numerous rich Appalachian coal seams in apparent ignorance of their existence. A report of coal from the town of Ottawa on the Illinois River was made in the year 1679. The oldest actual recorded mining operations were started in the Richmond bed twelve miles above Richmond, Va., in 1750.

In 1755 General Braddock built a military road into the Pennsylvania fields which cut the coal seams in many places. The Rhode Island anthracite field was discovered in 1760, but its inferior quality deprived it of commercial importance.

The next field to receive attention was the Pittsburgh district, with its fabulous reserves of the best quality coal. Mining operations were initiated here in 1760, and shipments made to Philadelphia early in the nineteenth century.

The first discovery of anthracite was reported in 1762, in the vicinity of Wilkes-Barre, Pa., a field destined to be the largest and most important in the anthracite industry. The discovery of the near-by Southern and Middle anthracite fields occurred respectively in 1791 and in 1826.

The early pioneers later reported coal showings in Ohio, Indiana, and Illinois. The great Appalachian field, extending from Pennsylvania to Alabama, was disclosed little by little as the frontiersmen pushed their way back from the coast. Lewis and Clark were the first white men to learn of the presence of coal in the Northwest. The

Wyoming fields were first reported by Fremont in 1843 and the earliest examination of the Montana region was made by members of the Transcontinental Survey in 1879. Coal mining was started in Colorado at Marshall, in 1863, five hundred tons being shipped out the next year.

The interval between the early discoveries of coal and the beginning of commercial operations is well-defined. This transitional period saw an almost superhuman effort not only to mine and transport the coal to the market centers, but also to educate the consumers in the methods of burning it.

One of the great difficulties in the development of the anthracite fields, and which caused an appreciable delay, was in making the coal burn. Although anthracite was found in 1762, the first record of its having been successfully burned is in 1769. This was in a blacksmith's forge under forced draft and for more than a quarter of a century [no other way to make it burn was known.] The first authentic record of the successful burning of anthracite in a stove is in 1802. An interesting legend connected with this phase of the industry is that of a determined effort to make anthracite fire in a small iron furnace. It is reported that the men worked unceasingly for a day and a night but gave up in disgust on the morning of the second day and, slamming the furnace door shut, went home for breakfast. Later one of the men returned and was amazed to find a seething fire in the furnace. The important lesson in making an anthracite fire—let it alone—was learned.

The first attempted shipments of coal to the consuming centers were abortive. Consumers already had a satisfactory source of fuel supply and where coal was tried out it usually proved a failure because stoves were not properly constructed. These early ventures resulted in losses to all concerned and much of the coal, transported at great effort and expense, was ultimately used for making side-walks at the points of destination. To the more persevering of these early pioneers who returned home with new plans for approaching the consumers, [is due the subsequent development of the coal industry.]

About 1808 regular trade was in existence with towns along the banks of the Susquehanna River. In 1812 shipments were made to Havre-de-Grace at the mouth of the river and thence by schooner to New York. The trade continued to expand, some 85,000 tons in all being sent down the river, up to 1830. With the completion of the North Branch Canal in that year and the construction of the Lehigh and Susquehanna Railroad in 1846, a new era of large scale operations was begun.

Shipments from the Southern anthracite region down the Lehigh River to Philadelphia were made as early as 1803, but although this was some five years before the Susquehanna trade was started, the former did not prosper in the same way as the latter.

The first effort to obtain an outlet from the anthracite regions that would handle this trade on a comprehensive scale was that initiated by the Delaware and Hudson Co. in 1823. This company, incorporated in that year to construct a canal from Rondout on the Hudson to Port Jervis on the Delaware, aimed to provide an outlet for coal from the Northern anthracite regions to New York. The canal was completed in 1828 and shipments started to tidewater in 1829. The project is a monument to the industry and perseverance of its creators.

Other projects of a similar nature followed in rapid succession. The Reading Co. obtained a charter for a railroad into the Southern anthracite region in 1833, running its first train in 1839.

Coal land values in the early days of the anthracite industry ranged from twenty and thirty dollars to one hundred dollars per acre. By 1890 these values had increased to twelve hundred and fifteen hundred dollars an acre. Today it is difficult to say what they are worth. The Philadelphia and Reading Co. purchased one hundred thousand acres of anthracite coal lands in 1871 for forty million dollars. Coal leases on a royalty basis were negotiated in 1870 at ten cents per ton. In 1890 these had increased to an average of twenty-five to thirty-five cents per ton, with some at forty-five and fifty cents per ton. Leases today are bringing as much as a dollar and a half per ton.

Originally the anthracite coal lands were divided up into many small holdings. These early pioneers realized little on their land. It soon became evident that mining was not a poor man's business. Working to the dip (most anthracite seams are heavily inclined) necessitated an immediate expenditure for mechanical equipment to hoist the coal and pump the water. The small operator was rapidly supplanted by one who had adequate financial means and engineering talent to cope with the increasingly difficult problems.

Activities in the bituminous field in the meantime had been keeping pace with those in the anthracite regions. Coal from the Richmond bed in Virginia was coming into successful competition at Philadelphia in 1789 with the British product from overseas. The Pittsburgh coal was also in this market early in the following century, and with the construction of the National Turnpike in Maryland in 1814, coal from the famous Georges Creek region appeared in Baltimore in wagon lots. Coal was also being floated in barges down to Georgetown and Washington, this business assuming some importance by 1820, and continuing until the Baltimore and Ohio Railroad was built into Cumberland in 1842.

The first coal company to be organized in the Georges Creek field, the Maryland Mining Co., came into existence in the same year that ground was broken for the construction of the Baltimore and Ohio Railroad and the Chesapeake and Ohio Canal, in 1828. This was followed by the organization of the Georges Creek Coal and Iron Co., in 1835 and the Maryland and New York Mining Co., in 1838. All of these companies encountered financial reverses and failed, the last two being ultimately absorbed in whole, or part, by the Consolidated Coal Co., after it was organized in 1860.

Mining in the West Virginia field on any important scale was first initiated in the Kanawha Valley and its tributaries, most of the product being used locally at first to manufacture salt. With the discovery of the rich canal coals in Coal River about 1840, the companies interested in this district made extensive improvements in the river which gave them an outlet to the Kanawha.

Systematic explorations farther up the Kanawha Valley had begun in 1849, and in 1853 operations were started on Fields Creek, and four years later on Paint Creek. The coal was hauled to the Kanawha River, where it was loaded on barges and sent down the Ohio River as far as Louisville and Cincinnati. Later the Kanawha River was improved and coal was shipped from this district as far as New Orleans. The opening of the modern trade began with the advent of the Chesapeake and Ohio Railroad in 1873.

The Pocahontas field did not obtain railroad facilities until 1882, shipments to the seaboard beginning the year following, and with the construction of the Lamberts Point Pier in 1885 coastwise trade was started. Ship-

ments to New England had been made previous to this, the first cargo of West Virginia coal arriving there on September 1, 1876. Two years later a cargo of 397 tons of New River coal, shipped by way of the Chesapeake and Ohio Railroad and Richmond, Va., was sent to Boston, where it came into competition with the Pennsylvania coals that were already being received there in the small five-ton cars of that day. This was the beginning of a rivalry between those two fields which persists to this day.

The coal fields of the United States are commonly divided into seven major regions, distinguished by their geographical location, and sometimes with no distinct line of demarcation between contiguous regions. These major divisions, in the general order of their location from east to west, and also in the approximate order of their commercial value are: Anthracite Region; Eastern or Appalachian Region; Middle Western Region; West-

ern Region; Southwestern Region; Rocky Mountain Region; Pacific Coast Region.

Each of these major regions has been subdivided into many supplementary districts and these latter not infrequently still further broken up. These smaller subdivisions are usually due to variations in the quality of the coal, thickness of the seams, etc. An example of how fields are thus subdivided is seen in the Pittsburgh district, which is itself a subdivision of the Eastern or Appalachian region. The western section of this field is known as the Panhandle region; east of this, and gradually merging into it with no distinct line of demarcation between, is the Gas Coal field with the Westmoreland Gas field to the north and the Klondyke Coke field to the east, and finally the Connellsville region on the eastern border. The fields often overlap each other, which is the source of much confusion in commenting upon various coals.—Extracts.

How Coal is Mined

Extracts from "The Coal Industry" by A. T. Shurick

THERE are three general methods of opening a mine, depending upon the depth and angle of inclination of the seam. [Mines opened up by these methods are spoken of as drift mines; slope mines, and shaft mines.]

Shaft mining is used where the seam lies at some depth and there is no outcrop within the limits of the property which is to be developed. Shafts of the size necessary to provide for an average production cost from \$200 to \$500 or more per foot to sink and line, depending on the nature of the strata. Recent State mining laws usually require that two shafts be sunk within 500 feet or so of each other. Shafts in this country vary in depth from 100 to 600 feet and even considerably deeper in the anthracite regions. Mine development of this kind involves a very heavy initial cost. Where duplicate shafts are sunk, one is designed as a hoistway for coal and the other as an auxiliary hoist and for other purposes. The right half of the shaft is left free for use as an air way, the other half has a cage way for hoisting men and lowering material, etc. The shaft is usually lined with concrete or other water-tight and non-inflammable material.

All systems of mining rest upon certain fundamental principles. First, a system of tunnels, called entries, driven in the coal and designed for more or less permanent use in hauling coal from the mine, passage of main ventilating currents, drainage, etc. Entries are driven in pairs with a pillar of coal varying from 20 to 50 feet or more between. One pair of entries is used as a traveling way for air and for out-haulage of coal, and is called the haulway. The other is used for the passage of ventilating current and is termed the airway or air course. Variations in mining systems occur even in the same field and still more important modifications in different fields. No one can say what is the typical system of mining.

Digging the Coal—The room is the last subdivision in the intricate mine system and is also the determining factor in the productive capacity of the mine. Room sizes vary in different fields according to roof conditions, and may be anywhere from 10 to 50 feet wide and 250 to 400 feet long. A room is usually driven the full thickness of the coal and this determines the height, and varies from 2 feet to 80 feet. The room starts from the entry with an

angular cut in order to provide an easy curve for the track and is driven narrow for the first 20 feet so as to leave a substantial pillar of coal to protect the entry from a squeeze [collapse of pillar caused by subsidence of roof]. Provision is made for disposing of roof falls and refuse matter in the seam by piling this in the center of the room between the tracks, forming what is known as the "gob." Where the seams are thin and the rooms narrow a considerable amount of "gob" must be loaded out in the mine cars, which is expensive.

The end of a room is called the face. Here actual mining operations take place. Cuts made on coal faces are now usually made by machines. Instead of as formerly by hand with a miner's pick. The old-time miner became remarkably adept at this laborious work. Blasting, or shooting, is done with very slow powder to avoid unnecessarily breaking the coal. Formerly ordinary gunpowder was used, which was a prolific cause of mine explosions due to blown-out shots.

Regulations governing operations in rooms vary in all districts. In union fields they are rigidly fixed in wage agreements between miners and operators. From one to four men are assigned to a room and are paid on a tonnage basis for coal mined, loaded and sent out to the tippie. Usually they keep the track in repair and laid up to the face, and their rooms timbered up, the company supplying the materials for the work. Where there are no machines, miners do their mining, bore, and load the holes for shooting the coal, and finally load the coal on the cars when it has been broken down. Miners furnish their own powder, which is the principal item of expense. The work of driving entries, crosscuts, etc., called narrow work, differs from that of driving rooms because of shorter face, and consequently the miner is not able to mine as much coal. Miners on this kind of work are allowed additional pay per yard of such places driven. This is known as yardage.

Mine Lighting—Methods of illuminating underground workings have progressed from torches, tallow candles, oil lamps (still used to some extent) to carbide lamps and both portable and fixed electric illumination of various kinds. Even a moderate sized mine will have several

miles of haulways and manways in more or less continual use, so that the cost of fixed lights throughout would be prohibitive. Portable lamps are therefore an essential part of the underground workman's equipment.

Mine Timbering—Timber required in a mine may vary from none at all up to an incredible amount, depending largely on roof conditions. Growing scarcity and increased cost of mine timber is an important economic problem of coal mining today.

Mortality Rate—Coal mining is well up to the front among hazardous occupations. Deaths due to accidents in the mining industry average around 2,000 a year, or about 4 lives for each million tons of coal produced. About 40% of the total accidents are sustained by miners. Brakemen engaged in hauling operations suffer 20% of the accidents; about 10% occur to trackmen, and 5% to machinemen and motormen each, the remainder being distributed through various other occupations with blacksmiths, drivers, ditchmen, watermen, car repairers, tippie men, and electricians, each sustaining 1% of the accidents. Falls of slate are responsible for 25% of the accidents and falls of coal for 9%, handling material for 11%, hand tools 6%, while 5% are due to being run over by cars, and 5% to coupling cars and to collisions, each.

Hoisting—Hoisting may be divided into two general

classes, hoisting through a vertical shaft and from an inclined slope. In shaft hoisting the loaded mine car is run to a cage, hoisted to the surface, and dumped automatically, or the car is removed from the cage and dumped separately. The mine car may also be dumped into a skip at the shaft bottom and the coal hoisted in this way. The hoisting shaft is the bottle neck of the mine, to which coal converges from all different sections. Mine capacity is usually fixed by the dispatch with which coal can be handled here. A remarkable record of 8,220 tons of coal were hoisted from a single shaft at an Illinois mine in 1922. This would fill 164 railroad cars of 50 tons each. The length of the hoist was 600 feet, 5 tons of coal being brought to the surface and dumped at an average rate of 17 seconds per hoist. Such a record could only be made with most expert engineering at the throttle, and the strain of handling a powerful engine at these high speeds is such that it is customary to relieve the operator every thirty minutes.

Haulage Methods—Present haulage systems are rope and locomotive haulage, each having several subdivisions, rope-haulage having the engine-plane method, the tail-rope, endless rope, and gravity-plane methods. Locomotives used in mine service are operated by every known

Continued on page 318

On the International Position of Coal

By C. K. LEITCH

Professor of Geology, University of Wisconsin

Extracts from "Foreign Affairs" (U. S.), July, 1925.

THE world has used more of its mineral resources in the last twenty years than in all preceding time, and there is nothing to indicate any slackening of the acceleration which has occurred during this period. One of the most significant changes has been in the so-called energy resources—coal, oil, gas and water-power. The world has just entered on a gigantic experiment in the use of earth materials. Energy is being released on a scale never before approximated, with consequences which cannot be appraised.

The grade of bituminous coal adapted to coking and to efficient power uses is most extensively exploited in the eastern United States, in England and in western Germany, these three regions producing about two-thirds of the world's supply. The United States has about half of the world's estimated reserves. In China there are large reserves of proper grade for commercial utilization, but the difficulty there is in the lack of industrial development and initiative.

The anthracite production of the world is still more concentrated, being confined practically to eastern Pennsylvania. Over 95% of the world's total comes from this region, the remainder mainly from Wales. The only large reserves in sight are the yet unexplored reserves of China.

A fact of far-reaching significance made obvious by the war but still often disregarded in discussion, is the overlapping of political and commercial spheres of influence. Commercial interests of one country own minerals in other countries, or international commercial interests control minerals in more than one country. British and American capital play an especially prominent role in controlling commercial supplies of minerals in other countries. Extra-national commercial control often carries

with it important political influence, and the extension of political control is more and more tending to conform to the commercial spheres determined by the occurrence of raw materials. Such facts are seldom indicated in making up classifications of mineral production by countries.

An illustration of the kind of problem created by the overlapping of spheres of political and commercial influence is the Ruhr controversy.

One begins to hear the phrase "internationalization of mineral resources." It comes up in connection with the League of Nations, with the peace settlements, and with various projects for world peace. The phrase means different things to different people. Yet the idea behind it is reasonably clear—that some arrangement should be made to protect nations weak in resources against nations better favored by nature; to prevent monopoly by any one nation or group of nations, to minimize the strenuous competition among nations which sometimes leads to war. The phrase implies the belief that the desired results are not being properly accomplished by uncontrolled private trade, or the fear that they will not be so accomplished in the future and that therefore governments must collectively assume control. These ideas received no expression in the Versailles Treaty. But since then the question has reappeared from time to time in connection with various international economic difficulties which were not solved by the Versailles Conference, and it has been given some attention by the Economic Committee of the League of Nations, following a resolution by the International Miners' Congress, in 1920, "that there be constituted within a brief period an international office for the distribution of fuel, ores, and other raw materials indispensable for the revival of normal economic life."—Extracts.

Federal Agencies and the Coal Industry

THE Geological Survey in the Department of the Interior conducts the field examination of the country's coal reserves. Its geologists have classified and valued the public coal lands in great detail.

The Bureau of Mines, under the Executive Order of June 4, 1925, was transferred from the Department of the Interior to the Department of Commerce. The Statistical Staff of the Geological Survey was at the same time transferred to the Bureau of Mines. The work of these statisticians comprises the compilation of annual and weekly figures on coal production, and annual and seasonal statistics of coal consumption and commercial stocks on hand. The Bureau of Mines also carries on investigations in mining technology, mining safety, and fuel economy, and has had wide experience in coal sampling and analysis. An account of the Bureau's work in connection with the coal industry is given below.

The Bureau of the Census, also in the Department of Commerce, collects information concerning the growth of the coal industry and concerning the numbers, wages, etc., of those who are engaged in it.

In the Bureau of Foreign and Domestic Commerce, also in the Department of Commerce, there are Commodity Divisions, manned by technical experts who place

the resources of the Government at the disposal of a number of basic industries in the extension of their foreign trade. The Coal Trade Division operates in this manner in connection with the coal industry. The Bureau of Foreign and Domestic Commerce publishes statistics of coal imports and exports.

Essential facts about sanitary conditions in the mining communities can be obtained by the Public Health Service in the Treasury Department.

Facts relative to wages and working conditions in the coal industry and retail prices of coal are gathered by the Department of Labor.

The Federal Trade Commission has released several important reports on costs and investments in the coal industry.

The Interstate Commerce Commission through the exercise of its regulatory powers over interstate commerce gathers annual statistics on coal movement by rail, and its hearings contain much material on the transportation and distribution of coal.

The Bureau of Engineers in the War Department collects facts as to the movement of coal on waterways.

Standing Committees of the Congress also gather facts on the coal industry when authorized by the Congress to do so. See page 297, in this number.

U. S. Bureau of Mines and the Coal Industry

BY THE INFORMATION SERVICE, BUREAU OF MINES, DEPARTMENT OF COMMERCE

THE work of the Bureau of Mines in connection with the mining and utilization of coal had its beginning many years before the bureau was organized. The bureau was created July 1, 1910, by act of Congress (36 Stat. L. 369) for the purpose of conducting scientific and technical investigations concerning mining and the preparation and use of mineral substances with a view to the increase of health, safety and efficiency in the mineral industry. Under this act analysis and testing of coals, lignites, and other mineral fuel substances, and investigation of causes of mine accidents, then being conducted by the United States Geological Survey, was transferred to the Bureau of Mines. The fuel testing work had been initiated in 1904 by two acts of Congress. The study of mine accidents had been authorized by Congress in December, 1907, following a series of disastrous coal-mine explosions in which more than 600 men were killed. A station for testing mine explosives was established soon afterward, to eliminate one of the chief causes of mine explosions, unsafe explosives. This was the beginning of the bureau's largest experiment station at Pittsburgh, employing over 250 scientists and clerks, and which is chiefly engaged in research work on coal mining, fuels, explosives, rescue apparatus, mine gases, and mining appliances. Nearby is the bureau's experimental mine, at Bruceton, Pa., where mine explosions are caused and studied under controlled conditions, and explosives and electrical equipment are tested for safe use in explosive atmospheres.

One of the earliest safety achievements of the bureau was the development, in cooperation with explosives manufacturers, of "permissible" explosives, having a short cool flame, much less liable to ignite an explosive atmos-

phere when a blown-out shot occurs than the long hot flame of black blasting powder and dynamite. The use of these explosives is constantly increasing in mines throughout the country.

The bureau also demonstrated that coal liberated dust is not only highly explosive, but is the chief agency in propagating a coal mine explosion. Explosibility tests of coal dusts and gas mixtures have been made on an unprecedented scale for many years. The explosibility hazard of coals from many different beds is now accurately known, and also, that mixing inert dust, such as rock or shale dust, with the coal dust makes it nonexplosive, and the proportions of rock dust required for many coal dusts have been determined. The mine operators were slow to adopt rock dusting, favoring watering, but serious explosions in recent years in watered mines and absence of explosions in rock-dusted mines, have converted most operators to rock-dusting. The bureau recently made a survey of the sources and costs of rock dust for the mining districts.

Accidents from explosions and mine fires attract most attention because numbers of men are killed at one time. Individual accidents greatly outnumber the group accidents. The bureau also studies the causes of these. Accidents from explosives, electricity, and mining equipment have received most attention, because conditions that cause them are more susceptible of improvement.

The bureau has been active in aiding the development of safe types of electric mining equipment, the list of such equipment, tested and approved by the bureau, is growing constantly. The last annual list, issued in 1925, contains the names of 157 explosives, 17 electric coal-mining machines, 19 electric lamps, 14 flame safety lamps, 4

storage battery locomotives, 3 mine rescue breathing apparatus, and other equipment. The manufacturer is permitted to use a seal stating that the devices have been approved by the Bureau of Mines.

The bureau's monthly mine-accident statistics help in studying causes of accidents and efficacy of preventive measures.

The bureau has also given especial attention to methods and equipment for fighting mine fires, for rescuing entombed miners, and to the training of miners in rescue operations and in first aid. It also cooperates with the Public Health Service in studying the health of miners, occupational diseases, and sanitation in mines and mining communities. Since the inception of training work at the Pittsburgh station in 1908, 11 mine rescue cars, 10 safety stations, and 139,182 trained workers have been put into service. The car and station crews have rendered assistance at mine disasters and saved life and property.

Methods and equipment whereby great savings in fuel can be effected by power plants and in small installations have resulted from the bureau's coal researches and experiments. These have included sampling and analysis of coal from all parts of the country, washing and coking tests of coals, briquetting tests, and under boiler tests. The essential features of this plan have contemplated the utilization of low-grade coals that were not being mined or wasted.

Standardized methods of sampling, analyzing and testing fuels have ensued. Thousands of analyses showing the quality of different coals, and their suitability for given uses have been published and comprehensive data on the fuel resources of this country have been furnished.

In studying the fundamental reactions in the science of most efficient burning of coal, numerous instruments and apparatus for measuring boiler temperatures and analyzing flue gases have been developed, and which are widely used by boiler plant operators. A large number of publications inform manufacturers, power plant designers, and householders, how to increase the capacity of a boiler and how a pound of coal can be made to evaporate more water. It is said that modern equipment for under boiler burning of fuel is based largely on the bureau's scientific information published in the past fifteen years.

As a result of its researches in the causes of spontaneous heating of coal in storage, it has been enabled to publish instructions for the safest methods of storing coals that are liable to heat, in fuel yards and ships' holds, and in this way has undoubtedly helped to safeguard and prevent loss of property from fire.

Through the bureau's system of purchase of coal under specifications of quality, hundreds of thousands of dollars have been saved by the Federal Government. More money is being saved by the bureau's fuel economy surveys of Government boiler plants, by plant improvements in firing method, or in coal selection. States, cities and private plants have benefited by following the Government fuel purchase plan.

In cities such as Salt Lake City, Utah, and Grafton, W. Va., where smoke is a serious problem, special surveys have resulted in greatly ameliorated smoke conditions. Data thus obtained are helpful to other cities.

Centralization of purchase and distribution of coal required by Government buildings in the District of Columbia, was effected when Congress in 1918 (40 Stat. L., 672) established a Fuel Yard, constructed and supervised by

the Bureau of Mines. Coal is sold at cost to Government departments.

To conserve the high-grade coals of the country the bureau has given much attention to washing and preparation of low-grade Middle West coals. It has developed improved methods by which the sulphur and ash content can be reduced, thus raising the quality of the coal product. Good results are also being obtained in improving the quality of Pacific Coast washeries coal. The vast lignite deposits of the Northwest are a potential source of immense supplies of fuel. The raw lignite because of its high moisture and ash, tendency to slake into small pieces, and non-coking quality, has had only a limited use. The bureau has shown in cooperation with the University of North Dakota, that lignite can be briquetted into a high-grade fuel, with recovery of by-products, but the process is not yet commercially attractive. A simple method of carbonizing lignite was developed, yielding a product high in heat units and known as char. It can be either briquetted or burned direct and is now being put on a commercial basis.

In its fuel studies, the bureau has not overlooked the householder's needs. By determining relative values of different fuels, as anthracite and bituminous coals, wood, and coke, the householder has been shown how to reduce his coal bill.

Great fuel economies are effected at large power plants whose boilers are run at high ratings and where pulverized coal is used as fuel. The difficulty of obtaining refractory furnace linings that will withstand the high temperatures and action of the slag produced under these conditions has retarded further advance. The bureau is now intensively studying refractories and the relations between refractory, fuel used, and furnace conditions.

While the greater part of mined coal is used for power, heat, and in producing gas for heating, lighting and cooking, large quantities are used in industry. The bureau is carrying on fundamental studies of the combustion of coke in the blast furnace, the effects of sulphur and other combustible impurities in coke and ore, and especially the phenomena of iron oxide reduction by carbon gases. The purpose of this work is to enable blast furnaces to be less dependent on rule-of-thumb methods, so that the increasing necessity of utilizing lower grades of iron ore and fuel can be met.

The bureau has devoted much attention to methods of mining coal, particularly in regard to increasing the recovery, the mining of difficult pitching and broken seams, and for increasing the quantity of lump coal. Among subjects now under investigation are methods of timbering, preservative treatment of timbers, efficiency of different explosives and methods of blasting coal, technique and practice of mine ventilation, subsidence of surface lands at coal mines, and mechanical underground loading devices.

The bureau's coal-mining engineers throughout the country are constantly visiting mines in their districts, in this way keeping in close touch with the operator and his problems.

Under the Executive Order of June 4, 1925, which transferred the Bureau of Mines from the Department of the Interior to the Department of Commerce, the work of compiling statistics on the mineral resources of the country, was transferred from the U. S. Geological Survey to the Bureau of Mines. The technical supervision of mining leases on coal and other mineral lands belong-

Continued on page 323

Government Coal Investigations

From 1844 to 1925

The Tyler Administration

1844. Report of experiments on evaporative and other properties of coals. Made under authority of U. S. Navy Dept., by Walter R. Johnson. 607 pp. (S. doc. 386, 28th Congress, 2d session, v. 6). Serial 438. Comprehensive analysis of heating and other properties of various American and foreign coals.

The Fillmore Administration

1852. Report of commission apptd. to examine qualities of coal-fields and coal mines on western waters. Transmitted by Secy. of U. S. Navy, J. P. Kennedy, to the Senate pursuant to S. Res. of Feb. 17, 1853. 6 pp. Signed J. Jamison. Contains report on all coal workings on Ohio and Mississippi rivers between Pittsburgh and Memphis (32d Congress, 2d session, S. ex. doc. v. 7, No. 46.). Serial 665.

The Harrison Administration

1890. U. S. Commissioner of Labor (Carroll Wright). Cost of production of bituminous coal. pp. 195-243 in Sixth annual report, 1890. 1404 pp.

1893. Alleged Coal Combination. Report from Committee on Interstate and Foreign Commerce. 261 pp. (52d Congress, 2d session, House Report No. 2278.)

The Hon. George D. Wise, Chrm. of Com., on July 26, 1892, appointed a sub-committee, Hon. William J. Coombs, Chairman, to take testimony in regard to alleged combination of Philadelphia and Reading R. R. Co., and other railroad and canal companies and producers of coal.

The Roosevelt Administration

1902. Report to the President on anthracite coal strike of May-October, 1902, by Anthracite Coal Strike Commission. 257 pp. The "U. S. Anthracite Coal Strike Commission," also known as "The Roosevelt Commission." Members of Commission were George Gray, Carroll D. Wright, John M. Wilson, John L. Spalding, Edgar E. Clark, Thomas H. Watkins, Edward W. Parker.

1908. Rebate on certain Coal Duties. Hearings before House Committee on Ways and Means on H. R. 11325. 30 pp. Mr. Sereno E. Payne was chrmn. of Com.

1908. Hearings held before House Committee on Public Lands, Apr. 29 and May 1, 1908, on H. R. 21412, a bill to encourage development of coal deposits in district of Alaska. 26 pp. Mr. Frank Mondell, Wyo., R., was chrmn. of Com.

The Taft Administration

1911. Alaska Coal Contracts. Hearings before House Committee on the Judiciary on H. Res. 217, calling upon the Attorney General for certain information. 135 pp. Henry D. Clayton, Ala., D., was chrmn. of Com.

1913. U. S. Commissioner of Labor. Increase in prices of anthracite coal following the wage agreement of May 20, 1912. 128 pp. (62d Congress, 3d session, House doc. 1442.)

The Wilson Administration

1913. Conditions in Paint Creek District, W. Va. Hearings before a subcommittee of Senate Committee on Education and Labor, 63d Congress, 1st Session, pursuant to S. Res. 37, authorizing investigation of Paint Creek District. 2298 pp., 2 maps. Senator Claude A. Swanson, Va., D., was chrmn.

1913. Freight rates on Coal. Hearings before House Committee on Interstate and Foreign Commerce, 63d Congress, 1st session, on H. Res. 217, requesting Deptmt. of Commerce, Deptmt. of Labor, and Interstate Commerce Commission to submit such information in their possession as bears on capitalization, ownership, and control of Pennsylvania coal mines. 24 pp. Mr. William C. Adamson, Ga., D., was chrmn. of Com.

1915. Transportation of Coal. Hearings before a subcommittee of Senate Committee on Naval Affairs, 63d Congress, 3d session, pursuant to S. Res. 291, authorizing the Committee to investigate natural and strategic advantages of Charleston, S. C., as compared with Norfolk, and other

Chesapeake Bay ports, as a permanent point for coal distribution, etc. 901 pp. Senator Nathan P. Bryan, Fla., D., was chrmn. of Com.

1917. Council of National Defense, Committee on Coal Production. The Committee was appointed by Council of National Defense in May, 1917, to consider whole question of bituminous coal. Mr. F. S. Peabody, of Chicago, was made chairman. The Committee had the active cooperation of the Secretary of the Interior, Mr. Lane. After numerous meetings and long negotiations with the operators throughout the country, Com. on June 29, 1917, announced an agreement with the operators, known as the Lane-Peabody Agreement. This agreement fixed a tentative maximum price for bituminous coal throughout country.

1917. Price Regulation of Coal and other Commodities. Hearing before Senate Committee on Interstate Commerce, 65th Congress, 1st session on S. 2354, a bill to amend the Act to regulate Commerce, as amended, and S. J. Res. 77, to provide further for the National Security and Defense by regulating the Production, Sale, and Distribution of Coal. 503 pp. Senator Francis G. Newlands, Nev., D., was Chrmn. of Com.

1917. U. S. Federal Trade Commission. Anthracite and Bituminous Coal. Report and recommendations, pursuant to Senate resolutions of June 22, 1916, and April 30, 1917, respectively, on anthracite and bituminous coal situation and relation of rail-and-water transportation to present fuel problem. 420 pp.

1917. When it became evident that distinct power should be given the administration for the efficient control of war necessities, food and fuel, H. R. 4961 was passed by the 65th Congress. This bill is known as the Lever Act, and is entitled "An Act to provide further for the national security and defense by encouraging the production, conserving the supply and controlling the distribution of food products and fuels." Approved Aug. 10, 1917. Sec. 25 authorized fixed coal and coke prices.

1917. On Aug. 21, 1917, President Wilson announced prices for bituminous coal throughout the U. S. for run-of-mine coal these price were, in general, a very great reduction from the prices fixed under the Lane-Peabody Agreement. They are known as "the President's prices."

1917. On Aug. 23, 1917, Mr. Harry A. Garfield was apptd. U. S. Fuel Administrator by President Wilson. To him were delegated the powers as to fuel conferred on the President by the Lever Act. On the same day, by Presidential Proclamation, prices were fixed on Pennsylvania Anthracite Coal. From this date until the constitution of the Engineers' Committee of the Fuel Administration early in January, 1918, numerous adjustment of "the President's prices" were made.

1918. By order of the President of July 3, 1918, the powers of the Federal Trade Commission as to coal were, with certain minor exceptions, transferred to the U. S. Fuel Administration.

1918. Shortage of coal. Hearings before the subcommittee of Senate Committee on Manufactures, 65th Congress, 2d session, pursuant to S. Res. 163, directing the Committee to investigate causes of shortage of coal and sugar. Coal. 1788 pp., 3 Vols. Senator James A. Reed, Mo., D., was Chrmn. of the subcom.

1918. Early in January the Engineers' Committee of the Fuel Administration was constituted and entrusted with the making of a general review of costs. The Com. was not authorized to fix prices on coal, its duties being limited to a study of methods of price fixing. It was the duty of the Fuel Administrator to determine the amount of margin to be allowed.

1919. Increased price of coal. Hearings before a Subcommittee of Senate Committee on Interstate Commerce, 66th Congress, 1st session, pursuant to S. Res. 126. Part 1. 483 pp. S. Res. directed the Com. to make inquiry into causes which have brought about enormous increase in market price of coal and to report its findings with a view to congressional or executive action. Senator Albert B. Cummins, Ia., R., was chrmn. of Com.

1919. U. S. Fuel Administration. Report of Engineers' Committee. 194 pp., 165 charts.

1919. U. S. Fuel Administration. Report of Distribution Division. 1918-1919. Pt. 1. The distribution of coal and coke, by C. E. Leshner. 143 pp., 18 plates; Pt. 2. The Zone System, by Wayne P. Ellis. 124 pp., 21 plates; Pt. 3. Statistical Tables, by C. E. Leshner. 871 pp.

1919. U. S. Federal Trade Commission. Cost reports. Coal. June 30, 1919. Nos. 1-7.

No. 1. Pennsylvania-bituminous. 103 pp., 4 diagrams, 14 charts; No. 2. Pennsylvania-anthracite. 145 pp., 6 diagrams, 19 charts, map of coal fields; No. 3. Illinois-bituminous. 127 pp., 5 diagrams, 8 charts, map of producing districts; No. 4. Alabama, Tennessee and Kentucky-bituminous. 210 pp., 12 diagrams, 16 charts, 2 maps of producing districts in Alabama, Tennessee, and Kentucky respectively; No. 5. Ohio, Indiana, and Michigan-bituminous. 288 pp., 13 diagrams, 22 charts, maps of producing districts in Ohio, Indiana, and Michigan; No. 6. Maryland, West Virginia, and Virginia-bituminous. 286 pp., 13 diagrams, 17 charts, 1 map; No. 7. Trans-Mississippi states-bituminous. 459 pp., 17 diagrams, 46 charts, 11 maps.

1920. U. S. Bituminous Coal Commission. Majority and minority reports to the President. 120 pp. The Commission consisted of Henry M. Robinson, O., Rembrandt Peale, an operator, and John P. White, a miner, and was appointed by Executive communication dated Dec. 6, 1919.

At the fourth biennial convention of the United Mine Workers of America, Cleveland, Sept. 9-23, 1919, the Scale Committee made a report recommending among other things, an increased wage demand, the expiration of all existing contracts on Nov. 1, 1919. The agreement then in effect did not expire until April 2, 1920. The miners' demands were submitted to the operators at ensuing conferences and were declined by the latter, whereupon strike orders were issued by the United Mine Workers of America. The U. S. District Court at Indianapolis thereupon issued a restraining order commanding cancellation and revocation of the strike order. Although this was done the miners did not at once return to work in numbers sufficient to bring about a normal output of coal. In the meantime the Fuel Administrator had suggested the appointment of a tribunal to consider future questions of wages and working conditions. When the resumption of operations in all parts of the bituminous fields warranted it, President Wilson appointed the Bituminous Coal Commission.

1920. U. S. Anthracite Coal Commission. Report, findings and award. 48 pp.

The Commission which was appointed by Executive Proclamation, dated June 3, 1920, consisted of Wm. O. Thompson, O., Neal J. Ferry, Pa., and Wm. J. Connell, Pa. Since 1903 the contractual relations between anthracite operators and miners had been governed by the award of the U. S. Anthracite Coal Strike Commission ("Roosevelt Commission") and the agreement subsequent thereto. The awards of the Roosevelt Commission were to remain in force until March 31, 1906, and were subsequently extended for three year periods by agreements of May 7, 1906; April 29, 1909; and by agreements of May 20, 1912 and May 5, 1916, four year extensions were made operative. Before the last agreement expired wage increase demands were made and after failure to agree, both operators and miners accepted the offer of President Wilson to appoint the above Commission.

1920. U. S. Fuel Administration. Fuel report of the Business Manager. 302 pp.

1920. U. S. Fuel Administration. Report of the Administrative Division. 428 pp.

1921. Reconstruction and Production. Hearings before the Select Committee on Reconstruction and Production, U. S. Senate, 66th Congress, 2d Session, pursuant to S. Res. 350. 2361 pp. 3 vols. Senator Wm. M. Calder, N. Y., R., was chairman of the Committee. S. Res. 350 carried no specific instructions in regard to coal. The Committee, however, believing that the recent car-service orders giving preference to the shipment of coal operated to the detriment of the building industry, began its inquiry with this phase of the subject. The Committee traveled as far west as Denver and south as far as New Orleans. It also visited the larger eastern cities. Coal rates and coal supply were matters of inquiry throughout the itinerary.

1921. Publication of Production and Profits in Coal. Hearing before Senate Committee on Manufactures, 66th Congress, 3d session on S. 4823, a bill to promote the general

welfare by gathering information respecting the ownership, production, distribution, costs, sales, and profits in the coal industry and by publication of same, and to recognize and declare coal and its production and distribution charged with public interest and use. 2235 pp. The chairman of this Committee was the late Senator Robert LaFollette, Wisc., R.

The Harding Administration

1921. West Virginia coal fields. Hearings before Senate Committee on Education and Labor. 67th Congress, 1st session, pursuant to S. Res. 80, directing the Committee to investigate recent acts of violence in coal fields of West Virginia and adjacent territory and causes which led to conditions which now exist in said territory. 1054 pp. Senator Wm. S. Kenyon, Ia., R., was chrmn. of Com.

1921. The Coal Problem. Hearings before a subcommittee of Senate Committee on Interstate Commerce, 67th Congress, 1st session on S. 41, to provide for reasonable rates for the transportation of coal; on S. 42, to provide for the appointment of a Federal Coal Commissioner; on S. 824, to provide for a Federal Coal Commissioner, and directing the Director of the Geological Survey to act as such commissioner. 43 pp. Senator Albert B. Cummins, Ia., R., was chrmn. of the Com.

1921. U. S. Fuel Administration. Final report of U. S. Administrator. 316 pp.

1922. U. S. Federal Trade Commission. Investment and profit in soft-coal mining. Preliminary report. 10 pp. (67th Congress, 2d session, Senate doc. 207.)

— Final report. 208 pp. (67th Congress, 2d session, Senate doc. 207, Pt. 2.)

1922. Investigation of Wages and Working Conditions in the Coal Mining Industry. Hearings before House Committee on Labor, 67th Congress, 2d session, on H. R. 11022, to establish a Commission to inquire into labor conditions in the coal industry. 561 pp. Mr. John I. Nolan, Calif., R., was chrmn. of the Com.

1922. The U. S. Coal Commission was created by act of Congress of Sept. 22, 1922. (Public Law No. 347.) See p. 303 for members, and report of this commission.

The long-continued strike, beginning April 1, 1922, in the anthracite region was the cause of great worry as the prospects of lack of fuel for the winter of 1922-23 became more and more critical. In an address delivered to Congress on August 18, 1922, President Harding recommended the appointment of a United States Coal Commission, additional powers to Interstate Commerce Commission, and continuation of the authority of the Federal Fuel distributor. Legislation was adopted (Act of Sept. 22, 1922) carrying out these recommendations.

President Harding in the above address said:

"It is manifestly my duty to bring to your attention the industrial situation which confronts the country.

The suspension of the coal industry dates back to last April 1, when the working agreement between mine operators and the United Mine Workers came to an end.

At every stage, the Government has been a just neutral regarding wage scales and working contracts. There are fundamental evils in our present system of producing and distribution which make the wage problem difficult.

I am asking at your hands the authority to create a commission to make a searching investigation into the whole coal industry, with provision for its lawful activities and the bestowal of authority to reveal every phase of coal production, sale, and distribution. I am speaking now on behalf of mine workers, mine operators, and the American public. It will bring protection to all and point the way to continuity of production and the better economic functioning of the industry in the future.

The necessity for such a searching national investigation with constructive recommendation is imperative."

President Coolidge's Administration

1923. State tax on coal in storage. Hearing on H. Con. Res. 79, before House Committee on Interstate and Foreign Commerce, 67th Congress, 4th session.

1923. Report of the U. S. Coal Commission transmitted pursuant to the Act approved Sept. 22, 1922. 2719 pp. 4 vols., and Atlas. S. doc. No. 195, 68th Congress, 2d session.

As directed by Congress, the Commission made a brief progress report on Jan. 15, 1923 (H. doc. No. 533, 67th Congress, 4th session). Certain other of its reports were issued in preliminary mimeographed form.

Wage Agreements in the Coal Industry

From 1885 to 1923

THE Miners.—Organized coal miners are joined in an international organization, the United Mine Workers of America, formed in 1890 by amalgamation of the Miners' National Progressive Union (1885-1890) and District Assembly 135, Knights of Labor. Today the jurisdiction of the United Mine Workers of America comprises 29 districts covering both anthracite and bituminous fields in the United States and Canada. The anthracite fields lie in Pennsylvania and are known as the Wyoming or northern field (district No. 1), the Lehigh or central field (district No. 2), and the Schuylkill or southern field (district No. 3). Of approximately 160,000 anthracite workers 158,000 are organized.

Districts 18 and 26 are in Canada, the remainder being in the bituminous fields of the United States. Annual conventions have been held by the United Mine Workers of America since their organization in 1890. Organizations of the districts, subdistricts, and locals, also meet in convention. Bituminous district organization is usually confined to one State, but in highly organized States there are several districts.

The Operators.—The National Coal Association, of bituminous operators, was formed late in 1917 and held its first meeting in Philadelphia in May, 1918. It does not concern itself with labor questions, but the State operators' associations meet in convention with the miners' district organizations. The oldest of the bituminous operators' State organizations is that of Illinois, formed late in 1897.

The anthracite operators have no organization for dealing directly with organized miners during the agreement period. There are two general anthracite operators' associations, the Anthracite Coal Operators' Association, consisting of independent operators, and the Anthracite Bureau of Information, to which both "railroad" and independent companies belong. Neither deals directly with labor matters. A General Policies Committee, consisting of 15 operators from the two groups of companies, negotiates with the union at the expiration of the agreement and acts as general spokesman of the operators.

Joint Organization.—Among the oldest coal States in the United States are Illinois, Indiana, Ohio and Pennsylvania. Western Pennsylvania and the three States named make up the "Central Competitive Field." As early as 1885 the miners of this field issued a call for an interstate joint conference of miners and operators.

The Interstate Joint Conference is in the nature of a parliamentary body for the States comprising the Central Competitive Field. Here delegated miners, operators and officers of the United Mine Workers meet to determine basic wage rates for a given point in each of the four districts represented. Changes in these rates determine similar changes in other bituminous districts. The States of Missouri, Kansas, Oklahoma, Texas, and Arkansas constitute what is known as the Southwest Interstate Field, and here the Southwest Interstate Joint Conference acts much as the Interstate Joint Conference does for the States of the Central Competitive Field.

The agreements made at the Interstate Joint Conference and the tri-district conferences of anthracite operators and miners, constitute the basic wages and working conditions of the bituminous and anthracite industries. An account of these agreements for both industries follows.

Joint Interstate Agreements, 1885-1923

Prior to the organization of the United Mine Workers of America joint interstate conferences had taken place at irregular intervals. The earliest was held at Chicago in October, 1885. Only one operator was present and adjournment was taken. On December 15 of the same year a joint interstate conference was held in Pittsburgh with 17 operators and 16 miners present. It was at this conference that W. P. Rend, an Illinois operator, made this statement: "Let these prices be fixed by a joint committee of miners and operators."

At Columbus, Ohio, early in 1886, the first regular Interstate Joint Conference was formally organized. Wage scales were adopted and a national board of arbitration was organized. Interstate Joint Conferences were held in 1887 and again in 1888, after which they lapsed until 1898.

Bituminous Industry: Central Competitive Field.—The general strike of 1897 was the instigation for the signing of the first joint interstate agreement made for this field following the organization of the United Mine Workers of America in 1890. This was signed in Chicago on January 28, 1898, and remained in force for one year from April 1, 1898. It was reaffirmed at Pittsburgh in January, 1899, for one year from April 1, 1899. Annual joint interstate agreements for this field were thereafter made until March, 1904. Hereafter agreements were signed biennially for the period ending March 31st. During the period of the war miners' joint agreements were supervised by the U. S. Fuel Administration, and no general strike developed until after the armistice. In September, 1919, a strike was called for November 1, 1919, to prevent which Executive intervention was exercised, but offer of arbitration was rejected by the miners. Thereupon a restraining order was issued by the Federal Court at Indianapolis, but disregarded by the bituminous miners, 425,000 of whom went on strike. On November 8, the Court again issued an order directing that the strike be called off before November 11. The miners complied with the order but mining was not resumed. On December 10, 1919, the miners accepted a proposal made by President Wilson for strike termination. A commission was appointed whose award was embodied in the new joint agreement signed March 31, 1920, effective for two years.

A general strike of all union mines, both anthracite and bituminous, was called for April 1, 1922. The bituminous miners remained out until August 15, when an agreement was signed extending the terms of the 1920 agreement until March 31, 1923, and subsequently extended to March 31, 1924. On February 16, 1924, a joint agreement was signed at Jacksonville, Fla., extending the terms of the 1924 agreement to March 31, 1927.

Anthracite Industry.—The award of the U. S. Anthracite Coal Strike Commission was the precursor of the succeeding anthracite agreements which were negotiated for three year periods until 1912. The agreement signed May 20, 1912 was made for four years and is the first of these agreements in which the union organization of the miners is recognized. Before the expiration of the four year agreement signed on May 5, 1916, conditions were such that a series of supplementary agreements became necessary. These were made on April 25 and November 17, 1917 and November 18, 1918 and September 29, 1919. The agreement of September 19, 1919, extended the wage increases secured by the preceding supplementary agreements to March 31, 1920, when the 1916 agreement expired. Joint agreement on a new contract having failed the controversy was submitted to a commission appointed by President Wilson. On September 2, 1920, operators and miners signed an agreement incorporating the award of the commission, and which was made retroactive to April 1, 1920, and effective until April 1, 1922. In this year both anthracite and bituminous contracts expired on the same day, viz., March 31st. On that day a strike was called throughout the coal industry. The strike in the anthracite fields lasted five months, from April 1 to September 11, 1922. On this day it was agreed to continue the terms of the 1920 agreement to August 31, 1923. Miners' demands presented as the basis for negotiation of a new contract in 1923 were practically the same as those presented in 1922 and then rejected by the operators, who again rejected them in 1923. A suspension of work followed lasting from September 1 to 18, 1923, on which day a new contract was signed at Harrisburg effective for a two year period ended August 31, 1925. Joint agreement on a new contract having failed, the order for the strike now pending was issued September 1, 1925.

The Coal Problem

By F. G. TRYON

Of the U. S. Geological Survey, Statistical Adviser to the U. S. Coal Commission

Extracts from "What the Coal Commission Found," by The Staff of the United States Coal Commission

OUR Coal Problem is how best to supply the American people with heat and power. Other sources of heat and power—natural gas, oil and falling water—may supplement our supply of coal, but they cannot replace it. Already the output of gas has begun to wane. Production of oil cannot long maintain its present rate. Water power, though inexhaustible, can carry but a part of the load. Barring some revolutionary discovery of science, coal must remain our principal source of warmth and energy.

The coal-mining industry measured by the number of men it employs outranks any single manufacturing business and stands next to transportation and agriculture. One man out of every 45 works underground in the mines.

Mining and transportation are practically one continuous operation, for it does not pay to store at the mine and the coal is dumped directly from the mine into railroad cars. The transportation of some 650,000,000 tons a year from 9,000 commercial mines in 26 States to 90,000 carload-lot buyers in 48 States is in itself a tremendous undertaking. Coal contributes a third of the freight that is handled by the railroads and requires also a widespread system of wholesale marketing. Consumers buying in less than carload lots are dependent on the retailers, who serve not only millions of householders, but many thousands of small factories, utilities, hotels, apartments and the like.

Into the development of this mechanism of fuel supply has gone a great deal of thought and effort by many keen American business men, and in assessing its deficiencies we must not lose sight of its achievements. Our coal industry has given us the cheapest heat and power in the world. Our mines contribute 42% of the world's supply. The output per man per day in the bituminous mines of the United States is three times that of England and Germany, and in the past 30 years the daily output per man has increased by 67%, and probably no other factor has contributed so much to the rise of American industry as cheap and abundant fuel.

As long as coal was cheap and plentiful, the people of the country took this machinery of coal supply as a matter of course. It was only when it broke down that they awoke to the existence of a "coal problem." In the past seven years there have been six major crises in the supply of coal, three of them affecting bituminous coal and three anthracite. The public has been acutely conscious of the high prices and of a train of unfortunate consequences—deterioration in quality, breakdown of contract relations between buyer and seller, congestion of the railroads, and unsettlement of general business. To the great majority of the people of the country the coal question is simply, "How can we get plenty of coal at the lowest possible price?"

In seeking an answer to the consumer's question it is essential at the outset to distinguish between bituminous coal and anthracite. Both are coal, and between them there exists a certain play of competition, but the industries producing them differ so greatly in economic organization in their markets and in the customers they serve

that a statement concerning one is seldom true of the other.

Bituminous Coal

The people of the country want cheap coal, but they do not want it at the cost of loss to the operator or privation to the miner. On second thought the consumer will no doubt consent to broaden his inquiry to, "How can we get plenty of coal at the lowest price consistent with fair profits for the owners and a decent living for the mine workers?"

Modern industry in general is much more wasteful than is generally supposed. The wastes in coal are not the fault of the operator, who is running his business as best he can. He is aware of most of them, and he is simply following what seems to him the dictates of competition.

The wastes include wastes in mining, found by the Coal Commission's engineers to average 35% of the coal in the ground; waste through opposition of the union to increased use of machinery or even direct limitation of output; waste of the time of the worker and of capital invested in the mine through lack of co-ordination of underground work; competitive wastes of transportation through needlessly long hauls, cross hauls, refusal of railroads to agree on joint rates, absence of pooling arrangements at yards, terminals, and lake and tidewater docks; waste in retailing, shown by the low costs of some retailers as compared with most others; wastes in burning coal, by which small steam plants utilize only a fifth as much of the heat value in the coal as a good central electric station; and greatest of all, the tremendous waste of capital and man-power in running mines only 200 days when they ought to be running 290 days.

Chief among the opportunities for improvement in the service and reduction in cost appears to be better co-ordination of transportation and mining. The railroads and coal mines are mutually dependent. Because the railroads are the largest consumers of coal, taking 28% of all bituminous output, and because soft coal alone constitutes more than a fourth of the railroad freight, the problems of mines and railroads are closely interwoven. Irregularity in coal output means serious fluctuations in railroad revenue and excessive irregularity imposes impossible demands on the roads. On the other hand, irregularity in car supply means broken working time at the mines. In recognition of the interdependence of mining and transportation lies perhaps the largest hope of improvement of service and reduction of costs.

Anthracite Coal

The anthracite industry presents many striking contrasts to the bituminous coal industry. Whereas the mining of bituminous coal is scattered over 26 States, the mining of anthracite is confined to ten counties in Eastern Pennsylvania. Widespread dissemination of ownership characterizes the bituminous industry; close concentration both of landholding and mining is characteristic of anthracite. Steeply pitching beds and other natural difficulties increase the cost of mining anthracite. The disposition of the fine sizes known as buckwheat, rice and barley, which must be sold at a loss in competition with

bituminous coal, constitutes a special problem for the anthracite operator, and the cleaning and preparation of his coal for market is so much more extensive than that of bituminous coal as to justify in part, at least, his claim that his is a manufacturing as well as a mining enterprise. For all these reasons the anthracite producers wish to be regarded as a separate industry.

The capacity of the anthracite industry is now so nicely adjusted to the demand that practically full-time operation is needed to produce the winter's supply; a strike of even a few weeks disturbs the market immensely. A shortage of anthracite is quickly manifest in the wholesale and retail trade. Rising prices, occasional shipments of dirty coal, speculative activity, pyramiding of jobbers' charges, increased margins of profit are the not unnatural consequences of a dislocation in supply.

The anthracite problem, like the bituminous coal problem, is largely a matter of labor relations. An underlying cause of irritation in the anthracite region is the inequality of earnings under the antiquated system of wage rates now in effect. Rates originally fixed by individual bargaining and "frozen" by the award of the Roosevelt Anthracite Strike Commission of 1902, have never been readjusted, but have been advanced by uniform flat or percentage changes ever since.

The operators and the union through the existing machinery of collective bargaining have means at hand for correcting these inequalities and thereby removing one cause of unrest. The external conditions in the anthracite region are all favorable to the negotiation of wage agreements and their successful execution. There is no threat of a non-union field waiting to undercut rates and upset the agreement, such as imperils the success of negotiations in the bituminous fields. The contract is binding upon the entire anthracite industry.

The anthracite region has a natural monopoly. About this has grown a close-knit business organization which has from time to time been challenged by the Supreme Court of the United States as in some respects resembling a business monopoly. Seventy-five per cent of the production is controlled by eight large companies which in turn have been closely affiliated with eight large railroads serving the region, and with certain of the wholesaling companies. Through the ownership or lease they control 90% of the unmined reserves.

The issue before the public becomes, first, whether the peculiar corporate organization of the anthracite industry is rendering good service or not; second, whether its prices are fair. Upon the first point evidence is clear. Large-scale operation has eliminated competitive waste and stabilized the industry. The big companies can and do hold down the price during periods of acute shortage, and they can and do effectively control the distribution of the limited supplies to those customers with whom they have established relations. The point on which the public requires confirmation is the amount of the profits. Yet the determination of profits is neither simple nor easy. The Courts have as yet laid down no uniform rule for the measurement of value. Shall original cost, cost of reproduction, or present market value be used as a basis for judging the reasonableness of present profits? If present market value, shall a limit be set to future reappraisals and revaluations of property assets, particularly the coal-bearing land, adding more hundreds of millions to the \$186,000,000 of identified revaluations reported by the Coal Commission? Are these revaluations to be admitted as "investment" upon which profits must be made?

A National Policy of Fuels and Power

The immediate question of prices and supply merges into the long-time question of developing a national service of heat and power. Plenty of coal at the lowest possible price [appears to] involve some limitations on the conduct of capital and labor. Plenty of coal implies continuous service and continuous service involves some surrender of the right of persons in purely private employ or capital in a strictly private business, in the interest of the common welfare. The surrender may take the form of voluntary assumption by the industry of the obligation to serve; failing that, it may take the form of compulsory legislation. Irresponsible exercise of the private rights of either operators or mine workers without regard to the consequences to the public is incompatible with "plenty of coal."

As to what precise form the recognition of the public interest should take there is wide divergence of opinion.

One view holds that coal is a private business, like any other; that the responsibility of government ends with enforcement of the existing criminal law, and that the country will get more coal and cheaper coal by refraining from all interference in relations between operators and miners, or in the price, quality and supply of the product. This view has recently been strengthened by a parenthetical statement in the U. S. Supreme Court's decision in the *Kansas Industrial Court* case, that

It has never been supposed, since the adoption of the Constitution, that the business of . . . the mining operator or the miner was clothed with a public interest or that the price of his product or his wages could be fixed by state regulation.

In this view, even compulsory publicity of accounts is a violation of the right of business privacy.

A second view opposes regulation but favors public participation in the affairs of the industry through voluntary co-operation between a government agency, such as the Department of Commerce, and trade organizations of operators, dealers and mine workers. This view stresses improvement of service as the chief aim of public policy. It holds that technical progress, improvement in labor relations, better marketing and more efficient combustion offer a way to stabilize supply and reduce prices and conceives it the duty of government to join in actively promoting these ends. In this view the only effective form of public intervention in disputes within the industry is mediation or timely publicity.

A third view, despairing of success in voluntary co-operation alone, favors legislation, yet legislation designed not to regulate prices but to improve service through fostering the development of the industry. This view is prompted by the disorganized condition of bituminous mining, broken up into factions and conflicting interests that have frequently shown themselves incapable of united action. It regards legislation to provide for compulsory fact-finding, for promotive work, and for mediation in labor disputes as essential.

A fourth view emphasizes regulation of prices, profits and the distribution of coal as the best means of protecting the public interest. This view has dominated most of the proposals for State and Federal legislation.

The extreme of public control is represented by still another view that favors government ownership or nationalization, if not of the mines then of the coal in the ground under a system of leasing to private capital.

Whether the country turns to legislation or to voluntary co-operation with the industry, it is clear that we must think of coal on a national scale. The fuel question goes to the very foundations of national well-being.—Extracts.

Coal Legislation in the Sixty-eighth Congress

DURING the Sixty-eighth Congress a number of bills, comprising various plans for regulating the coal industry, were introduced. These measures are as follows:

In the Senate:

S. 179—To establish a Department of Mines, and for other purposes. Introduced by Mr. Oddie, Nev., R. Referred to the Committee on Mines and Mining. No action was taken by the Committee. Senator Oddie has announced that he will reintroduce this bill in the Sixty-ninth Congress.

S. 2208—To regulate interstate and foreign commerce in anthracite coal, and for other purposes. Introduced by Mr. Borah, Idaho, R. Referred to Committee on Interstate Commerce. This bill comprised Governor Pinchot's plan.

In the House:

The following bills were introduced in the House and referred to the Committee on Interstate and Foreign Commerce. No action was taken by the Committee.

H. R. 15—Authorizing the President to declare an embargo on coal. Introduced by Mr. Rogers, Mass., R. Mr. Rogers also introduced H. R. 418—Declaring an embargo on anthracite coal.

H. R. 698—Relating to the quality of domestic anthracite coal. Introduced by Mr. Luce, Mass., R.

H. R. 757—To regulate interstate and foreign commerce in anthracite coal, to provide for standards of quality, to control distribution, and for other purposes. Introduced by Mr. Treadway, Mass., R. Mr. Treadway stated that his bill was drafted along lines recommended in U. S. Coal Commission's report.

H. R. 4134—To promote the general welfare by gather-

ing information respecting the ownership, production, distribution, costs, sales, and profits in the coal industry and by publication of same, and to recognize and declare coal and its production and distribution charged with public interest and use, and for other purposes. Mr. Newton, Minn., R.

H. R. 5263—To authorize the President to declare a national emergency in case of a stoppage or threatened stoppage of a steady supply of coal, and to take over and operate mines during such emergency, and for other purposes. Introduced by Mr. Treadway, Mass., R.

H. R. 8335—To regulate interstate and foreign commerce in anthracite coal, and for other purposes. Introduced by Mr. Eagan, N. J., D.

H. R. 9195—To prevent the shipment of impure coal between the states, and for other purposes. Introduced by Mr. Taber, N. Y., R.

The report of the United States Coal Commission—The reports of the Commission were submitted to the President and the Congress at various times between January 15, and September 22, 1923, and released to the public on mimeographed sheets.

In the Senate the reports of the Commission were referred to the Committee on Mines and Mining. In the House the reports were referred to the Committee on Interstate and Foreign Commerce. Neither committee reported a bill carrying out the recommendations of the U. S. Coal Commission for legislative action.

Congress on February 6, 1925 (S. Con. Res. 3) authorized that the final report of the Commission be printed, and that 5,000 additional copies also be printed as a Senate document.

Glossary

Afterdamp—The mixture of gases which remain in a mine after a mine explosion or an explosion of fire damp, usually consists principally of carbonic acid gas and nitrogen, and is therefore irrespirable.

Agreement—A term applied to the plan by which the terms and conditions of labor in an industry as a whole or in one department of an industry are formulated in a written agreement, resulting as a rule from formal negotiations between organizations of employers and employees. Such agreements may be either national, district, or local in scope.

Air blast—A disturbance in mines accompanied by a strong rush of air through the workings. It is caused by the falling of large masses of roof in stopes, or by sudden crumbling of pillars under the weight of the rock above the mine workings, due to a stress on the rocks, which has produced a strain, and in mining operations this strain results in a violent rupture.

Anthracite; Hard Coal—A hard black lustrous coal containing 85 to 95 per cent carbon as against 70 to 85 per cent in bituminous or "soft" coal. It ignites with difficulty, produces an intensely hot fire, giving off no smoke.

Arbitration—The plan of referring the settlement of differences or disputes between employers and workers to an "impartial" agency, public or private, with powers to conduct an independent investigation of the matter and to

hand down a "neutral" decision or award. Arbitration should not be confused with Conciliation.

Back work—Loading coal, laying track, and other work of driving an entry and not done at the extreme face.

Bad air—Air vitiated by powder fumes, noxious gases or insufficient ventilation.

Coal—A carbonaceous substance formed from the remains of vegetation by partial decomposition. In its formation the vegetal matter appears to have first taken the form of peat, then lignite, and finally bituminous coal. The latter by the loss of its bitumen has in some places been converted into anthracite or hard coal.

Beehive oven—An oven for the manufacture of coke, shaped like the old-fashioned beehive. The volatile products as tar, gas, and ammonia are not saved.

Black damp—A term generally applied to carbon dioxide. It is formed by mine fires and the explosion of fire damp in mines, and hence forms a part of the afterdamp.

Black diamond—A term frequently applied to soft coal.

Cherry coal—A soft non-caking coal which burns readily.

Chestnut coal—In anthracite only—a square mesh of one inch to one and one-eighth inch, but too large to pass through a mesh of five-eighths or one-half an inch. Known as No. 5 coal.

Continued on page 316

The United States Coal Commission

THE United States Coal Commission was created by Act of Congress approved September 22, 1922. The Commission held its first meeting on October 18, within a few days after the appointment of its members by the President. It expired by limitation September 22, 1923. The following members of the Commission were appointed by President Harding: John Hays Hammond, Chairman, Thomas R. Marshall, Clark Howell, George Otis Smith, Edward T. Devine, Charles P. Neill, and

Judge Samuel Alschuler, of Chicago. Judge Alschuler being ineligible to membership on the Commission through holding a Federal judgeship, served in a consulting capacity with the other members of the Commission until February 8, 1923, when he withdrew. On March 4, 1923, the act of September 22, 1922, was amended so that a Federal Judge might be eligible for appointment, but Judge Alschuler declined the appointment. The President did not name a successor.

The Work of the United States Coal Commission

BY JOHN HAYS HAMMOND

Chairman, The United States Coal Commission

DEMOCRACY is slowly learning the method of the engineer and the scientist. Particularly it is learning that the first step in that method is the exhaustive collection of all pertinent facts as a preliminary to the formulation of sound principle and policy.

Both in its creation and in its operation, the United States Coal Commission appointed by President Harding in the Fall of 1922 represents one of the outstanding applications of this method in American governmental experience. Never before in the history of this government has so exhaustive a "fact-finding" been undertaken concerning any industry. The Commission placed its first emphasis upon the primary fundamental in the development of a sound public policy concerning the coal industry,—as indeed, it was directed to do by law,—the laying of an adequate foundation in fact. Upon these

facts were based the policies recommended by the Commission to the public and to the industry.

Critics of the Commission consist chiefly of those whose selfish interest makes them resent any courageous and exhaustive statement of the facts; of those who cannot comprehend the unbelievable complexity of this industry, seeing only a labyrinth of facts; of those who may have some easy panacea they would wish to see adopted. *There is no easy panacea for this troubled industry!* The solution of the coal problem can only grow out of a sustained, thoughtful effort over many years by the public, by Congress, by the industry, and by students generally. The work of the Commission must be viewed, first, in the light of the contribution it makes to the intelligence of the succeeding years of effort, and second, by the soundness of the actual policies it recommended for immediate adoption.—Extracts, see 2, p. 323.

The Findings of the United States Coal Commission

Extracts from "Final Report of the United States Coal Commission With Recommendations for Legislation," September 22, 1923

TO the President and the Congress of the United States:

The United States Coal Commission, in rendering its final report reiterates the premises stated in its earlier reports: The coal-mining industry is not only one of the largest in our country, but its uninterrupted service is essential to the well-being of the whole people; the condition of this key industry affects directly the prosperity of all American industry; the large public interest in coal raises fundamental questions touching the relation of private right to public welfare; but underlying these questions in economics and law are the issues of peace in the industry and justice to the individual—issues that strike deep into the heart of American institutions. An unfailling supply of coal at the lowest prices consistent with just returns to mine workers and mine owners is what the public needs and can rightfully demand of the coal industry.

Coal Mining an Indispensable Public Service

The public-welfare element in coal, then, is seen in the dependence of public health and safety on an unfailling supply of fuel, in the close connection between the prosperity of most industries and the uninterrupted operation of the coal mines, and in the obvious fact that without coal the great network of railroads which binds together this great country would be an idle, useless thing. It

happens, too, that the railroads and the public utilities, themselves so clearly obligated to render whatever public service is demanded of them that the constitutionality of their public regulation is unquestioned, are of all industries most dependent upon coal.

It is this indispensable service which the coal mine performs that gives the large social value both to the property and to its product, and in turn this social value in effect grants to the public an interest in that use and creates a compelling reason for public control. The commission is passing here upon an economic fact and not upon the law.

The Function of Publicity

The first step toward protection of the public interest in the mining and marketing of coal as a continuous and efficient service is a better public understanding of the coal business. Guided by facts rather than rumors, by information rather than prejudice, the people will be able to exercise wisely the powers of the Government over this type of private business to which society has given a large value and special opportunity.

Use of Federal Powers

Both to protect the public and to promote the normal development of this great basic industry, the commission

recommends the use of the powers of the Federal Government over interstate commerce, recognizing the fact that under our constitutional system a substantial part of the responsibility rests on the State and local governments and should remain there, and that an even larger part rests on the industry itself and the public which it serves.

Existing organizations in the industry—of operators, miners, and dealers—furnish the natural point of departure for the reforms and improvements that are essential. The function of the Government is that of supervision, with substantial powers of regulation. The same principle has been applied for a longer time to the railroads. This may be regarded as the characteristically American and constitutional method of dealing with such a national problem as is now presented in the coal industry. The commission has aimed to make such proposals as will increase rather than decrease the sense of responsibility within the industry.

General Recommendations

The commission's findings of fact and its conclusions based thereon are given in detail in the score or more separate reports. The specific recommendations in part are here restated and broadly grouped as they are addressed to the three parties in interest: First, the general public in its governing capacity, whether represented by Congress or by other legislative bodies; second, the coal industry itself—operators, mine workers, and retail and wholesale dealers; and third, the great body of coal consumers—railroads, public utilities, other industries and the millions of citizens who buy coal.

Governmental Action

A Coal Division in the Interstate Commerce Commission.—First among the commission's recommendations is that Congress make definite provision on a permanent basis for continuing the collection of coal facts both to instruct public opinion and to guide the administrative correction of abuses. Because of the intimate interrelation of coal mining and transportation, the Interstate Commerce Commission is the logical agency to exercise whatever regulatory powers over the coal industry are necessary to the public interest.

The commission is averse on the one hand to the unnecessary establishment of any new and unattached governmental agency and on the other to leaving this necessary governmental responsibility to a haphazard collaboration of existing bureaus whether in any one department or in several departments. We recommend the creation for this purpose of a special division in the Interstate Commerce Commission.

The regulation of commerce in coal among the several States involves the right to know the cost of its production, whether the investment on which a return is claimed is fairly estimated or inflated, what profits are made by owner, operator, and dealer, and what are the earnings and working conditions of the miners.

Control of Distribution in Emergencies.—In an emergency the proposed division of the Interstate Commerce Commission would be ready to act as Federal fuel distributor and subject to the direction of the President of the United States, as the agency to deal with transportation and distribution in such a way as the emergency may require.

Graded Tax on Royalties and Differential Profits, [Anthracite Coal].—One remedy, short of price fixing or public ownership, remains in the hands of the Government for the protection of the public interest. This is the

levy of a graded tax on royalties and differential profits. Such a tax would not lower the price of coal, but it would produce a public revenue without increasing the price of coal. The present sales tax imposed by the State of Pennsylvania on anthracite gives no such protection, even though it yields some \$7,000,000 a year to the State.

Federal License to Ship or Sell Coal in Interstate Commerce.—The most convenient and practicable of the various possible methods of exercising the right of control over interstate commerce in coal would appear to be the licensing of all who desire to ship coal from one State to another or to buy and sell in interstate commerce, whether as operators, wholesalers, or jobbers. Reasonable conditions would naturally be attached to the granting of the license, and violation of these conditions would be cause for suspending or revoking the license. The main purpose of the Federal regulation here recommended would be the stabilization of the industry and the protection of the public interest.

Water Transportation.—Greater use of river transportation would help to get more coal to market with less coal cars. The river movement of coal, considerable at one time, has been discouraged if not stifled by artificial rail rates. The long-continued policy of improvement of waterways financed by the National Government can now be directly controlled in accordance with the policy expressed in the Transportation Act, "to promote, encourage, and develop water transportation service and facilities in connection with the commerce of the United States." The use of powers thus recently granted to the Interstate Commerce Commission deserves serious consideration.

Readjustment of Long and Short Haul Freight Rates.—Economy in the use of transportation also demands that the long haul of coal be no longer encouraged by favoring rates, established without adequate regard to the cost of the transportation service rendered. Much of the soft coal that is now produced and consumed in this country is transported undue distances, some of it on its way to market passing across fields that produce coal of similar character. But without adopting any artificial zoning of coal shipments, there can be a reversal of the tendency to promote over-development caused by widening the marketing territory through reduction of freight rates from certain fields relative to those from older and competing fields. Gradually the rates should be readjusted to reestablish more natural relations between the elements of cost and service which will make for economic zoning. This proposal is apparently in line with recent decisions of the Interstate Commerce Commission.

Commercial Ratings for Coal Mines.—Along with the obvious economy in supplying each market with the coal nearest to it, is the need of furnishing an economic incentive for regular off-season purchase and storage of bituminous coal, thus increasing the length of the average working year for both miner and mine and so reducing costs of production and prices to the consumer. The most promising method of attaining this end is by giving a controlling influence to the commercial factor in the distribution of railroad cars to coal mines in times of transportation shortage. By this change in practice first consideration would be given to the commercial ability of the producer to sell coal rather than to mere ability to produce and load coal into railroad cars. The method of rating here suggested involves a principle of sufficient concern to justify investigation of the entire subject by the Interstate Commerce Commission on its own motion. Removal of

the peak load that the coal mines impose upon the railroads is a task in which the Government needs to cooperate with the industry in seeking possible relief from irregular operation and overdevelopment.

Opening New Mines on the Public Domain.—As administrator of the public estate, which includes 50,000,000 acres of coal land in the public-land States, the Federal Government has a direct responsibility in restraining overdevelopment, which exists in the West as well as in the East. The leasing law should be amended to give the Secretary of the Interior full discretion to make his approval of the opening of a new coal mine on the public domain contingent on the showing before the Interstate Commerce Commission that such a mine would serve the public and not involve a needless investment and excessive costs of operation.

Continuing Study of Labor Problem as a Basis for Special Compulsory Investigation under Authority of the President, in Case of Disagreement.*—The commission recommends that the Congress designate an agency to unite with the industry in continuing studies of unemployment as an effect of irregular operation; of the rate structure, serving as the medium of publicity for rate information in the non-union fields; and of all other basic facts on which industrial relations depend. The Government agency will [thus] be prepared to make under authority of the President the special compulsory investigation whenever the prospect of failure to renew an agreement is imminent.

Federal and State Cooperation in Accident Prevention.—To reduce the hazards in coal mining, State and Federal governments must cooperate in inspection, revision of mining codes, supervision of compensation insurance, and education in safety. For the betterment of operating methods and working conditions, State inspection must be freed from politics; also, the codes of some States badly need revision, and in this task the Federal Bureau of Mines can render special service. What is imperative is rigid enforcement of regulations based on knowledge already available.

Integration of the Industry under Public Supervision.—The consolidation, grouping, or pooling of bituminous

mining operations should be not only permitted but encouraged, with a view to insuring more steady production, less speculative prices, a wider use of long-term contracts with consumers, better living conditions, more regular employment, and lower costs. The existing legal barriers to such an economic arrangement should be removed, the necessary protection to the public interest being retained by requiring supervision of the financial structure of the consolidation, as is prescribed in the Transportation Act for railroad consolidation. Consolidations may be utilized to combine low-cost and high-cost mines, the high-cost mines being kept in reserve for periods of emergency; current operation, when the demand is normal, being limited to the low-cost mines. This would be done, however, under governmental supervision.

Control of Retailing a Local Responsibility.—There is neither constitutional nor economic warrant for the Federal Government to undertake the retail distribution of coal in the several communities of the country. It is the function of each community, by licensing retail coal dealers, by organizing cooperative associations, by establishing municipal fuel yards, or in whatsoever other ways may seem wise, to take the necessary steps to insure that after the coal reaches the railroad siding it is distributed to the consumer at a fair and equitable profit to the distributing agency, whatever that agency may be.

Action By The Industry

Responsibility of the Industry.—The commission realizes that the largest opportunity and the largest responsibility for putting the coal industry in order lie with the industry itself. Self-determination is the ideal.

Action By The Consumer

Responsibility of the Consumer.—Coal is mined to be used as fuel, and the consumer pays his share of all the extra costs due to any poor functioning of the industry. However, upon the consumer can be placed some responsibility for excessive costs, and the cure for existing bad conditions is partly in his hands. Therefore the commission addresses some of its recommendations to consumers of coal, large and small.—Extracts, see 9, p. 323.

The Coal Commission's Recommendations Relative to Labor Relations

WE recommend against compulsory arbitration as a means of preventing a national strike.

We believe that incorporation of the unions would not have the effect often predicted for it of binding the union to its contracts, and making it responsible.

We recommend continuous investigation and publicity by the Federal Government of the basic facts upon which industrial relations depend. This should bring about such a continuous interchange of information as to stimulate a greater sense of public responsibility and better practices by the union and the operators.

We recommend special compulsory investigation when the prospect of failure to renew an agreement is imminent, so that the public may have a chance to be heard before conflicts arise. Specifically, we recommend an inquiry under the authority of the President of the United States. To this end, it is suggested that all agreements should contain a clause that will provide for automatic

renewal of all agreements except in regard to provisions concerning which either party may have given notice to the other 90 days in advance of the date of termination of the agreement. In case of failure to agree, a report, setting forth the factors at issue, should be made to the President by each side not later than 60 days before the expiration of the agreement. It is recommended that when such a report is made the President immediately inquire into the factors at issue and secure a report and award thereon made on or before the date of expiration of the agreement. The award would or would not be made public, as the President would deem wise in the particular circumstances. It should be the purpose of such a report to focus upon the negotiators the irresistible moral pressure implicit in their joint obligation to furnish the public with coal.

In case a suspension occurs because of failure to reach an agreement before the expiration of an existing contract, there should be no question of the continuance of maintenance men at their occupations. Both in the interest of

*See Extracts from Commission's Report on Labor Relations in Bituminous Coal Mining, given below.

Federal Regulation of the Coal Industry?

Pro

HON. TASKER L. ODDIE

U. S. Senator, Nevada, Republican
Chairman, Committee on Mines and Mining

I FAVOR minimum governmental regulation of the coal industry, and my amendment* creating a bureau of coal economics follows this theory, because it provides the machinery for fact-finding and for an intelligent and scientific presentation of the facts to the proper agencies. The amendment also provides for certain necessary regulation during crises in the industry; and, had it been in operation during the last year, I believe it would have prevented—or at least minimized—the great loss, material and human, that already has resulted from the present coal strike.

I believe that the many and complex phases of the coal problem can only be successfully and effectively handled by a single Federal agency charged with the sole responsibility of their supervision. Necessary machinery for investigation and research, with authority to promptly act in cases of emergency, would be under a single head, who would at all times have at his disposal all the facts and statistics upon which to make recommendations, in case trouble should arise, and to supply Congress and the President with all requisite information as a basis for legislation whenever legislation is necessary. In my opinion such an arrangement would entirely do away with the frequently recurring periods of paralysis in the industry, because of labor disputes and other obstacles, which have prevented the smooth functioning of its many branches. The history of the coal mining industry in this country demonstrates very clearly to my mind the utter futility of attempting to insure otherwise an uninterrupted and satisfactory coal supply.

Another phase of the coal question which in my opinion deserves most careful consideration is that of pure fuel. In the metal mining industry processes have been in use for many years which separate the pure metal from the ore and other foreign substances before the metal is marketed. The facilities to be provided by the Government for fuel study and research will without doubt show that similar processes can be developed and practically applied to coal.

Efforts to effect economies in fuel combustion have been made by the larger users of coal in the industrial field, but the great army of household consumers of coal would greatly benefit by the results to be obtained through a bureau of coal economics. Producers and consumers should begin to think of fuel costs in terms of heat units. The successful solution of this problem will result in a vast saving in transportation charges, due to the lighter shipping weight of the product, and the ability to utilize all coal, of whatever grade, which may be located near the point of consumption. An illustration of the large possible saving in this direction is shown by the coal commission's statement that every one of the forty-five coal-producing districts in the United States, except the Michigan district, ships coal outside of the State in which it is mined, and that a neighboring coal State—Indiana—ships coal to seventeen States, although itself receiving coal

Con

HON. JAMES A. REED

U. S. Senator, Missouri, Democrat

THERE is no question so misunderstood as the coal problem. For years the people have been misled by false statements regarding conditions. Conclusions based upon such statements are necessarily inaccurate.

The misinformation given out is naturally credited by the general public and the remedies proposed are usually accepted at their face value without examination. This is particularly true of the entire coal question.

(1) It is asserted that our coal deposits are about to be exhausted, and that consequently the Government must interfere or the United States will soon find itself without coal.

The undisputed testimony before the Senate Committee on Manufactures* shows that there are already discovered in the continental United States bituminous coal deposits which reach the stupendous aggregate of between three and four trillion tons. At the present rate of consumption it will take approximately 6,000 years to exhaust the known supply.

(2) It is asserted that the great coal producers are, and have been for years, combined together to charge extortionate prices for coal when produced at the mouth of the mine. Accordingly it is argued that the Government must take possession or control over the mines in order to protect the people from the machinations of these evil conspirators.

Both the statement of fact and the conclusion based thereon are refuted by the testimony taken by the committee. At the end of the exhaustive hearings not a scrap of evidence had been given tending to show a combination between the great mine operators in the bituminous industry.

We have, then, a condition which only demands that the coal shall be taken from the ground and delivered to the people. If that is done at a fair and reasonable price, the problem is solved.

It has been proposed here to control coal because it is a necessity of life, a great primal necessity. I grant it is a great primal necessity. But if we are going to embark upon the policy of regulating everything that is a necessity because it is a necessity, where will we stop?

Coal is no more a primal necessity than clothing. Our ancestors wore clothes of some kind for thousands of years before they knew anything about the burning of coal. Coal is no more a primal necessity than steel or iron, because we must have the steel or iron to produce the coal, just as we must have the coal to produce the steel or iron. Destroy the steel industry, destroy the knowledge of how to produce iron and we would go back to barbarism. There would be no plow to turn the soil. There would be no reaper to harvest the crop. There would be no railroads to carry their mighty burdens across the continent. There would be no great steamships plowing the ocean. There would be no massive buildings lifting their roofs almost to the very skies. It would be barbarism.

If we should regulate coal, clearly we should regulate steel and iron; and if steel and iron, why not copper?

*See bill, S. 179—68th Congress, 1st session, p. 302.

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*67th Congress, 3d session.

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Problems of the Bituminous Coal Industry

AS VIEWED BY THE INDUSTRY

HARRY L. GANDY

Executive Secretary, National Coal Association

EVERY American banker is vitally concerned in the welfare of the bituminous coal industry. Yet there exists in many financial quarters a grievous lack of understanding about this industry on which the industrial and transportation machines of America are built.

Legislative committees and government bureaus, departments and commissions have vied in attempts to make a football out of the "black diamond," and resistance has been expensive, tiresome and all-engrossing.

The United States Coal Commission concluded its investigations nearly two years ago and their conclusions are now being reduced to public print. The Commission cost the Federal treasury \$600,000 and the coal industry at least \$15,000,000 in collecting information and making special accountings. It cost a certain company, for instance, \$30,000 to answer a single questionnaire. No account of governmental activities would be complete without mention of the Federal Trade Commission. The attitude of the Government, prior to the recent United States Supreme Court decisions* militated against the collection of such trade information as would make it possible for coal operators to carry on their business intelligently. As a consequence, they are now working in the dark, with practically no guides to the conduct of their business other than census reports, which, for such a purpose, and to reflect profit and losses, are of about as much use as a Hagerstown Almanac. It is to be hoped that in the near future quite complete trade information will be collected and disseminated.

Given a fair opportunity, this industry can and will right itself, and recover from the unavoidable inflation, for which war demands are largely responsible. Operation of the law of supply and demand can be twisted by legislation, but the check is only temporary, and when the dam does break, the economic destruction is overwhelming.

Bituminous coal production in 1924 amounted to 483,278,000 tons. The total value of bituminous coal deposits, mine and equipment, is \$11,443,000,000, according to the report of an engineer's valuation committee to the United States Coal Commission. The present daily output of bituminous coal alone would form a single train of 50-ton cars 265 miles in length.

The labor division of the industry is represented by the union and non-union fields. Five years ago the present basic daily wage of \$7.50 was established in the union fields, whence 60% of the output came in 1920. Production figures of United States Geological Survey for 1924 show that in this period the situation was reversed, 60 per cent. of the 1924 production being in non-union fields and 40 per cent. in union fields.

It would be idle to propose a panacea. The bituminous operators are making every effort to effect readjustment without legislative assistance. These operators have given to America the cheapest fuel in the world and will continue to give it if their genius and energy are not

AS VIEWED BY ORGANIZED LABOR

THE UNITED MINE WORKERS OF AMERICA

Statement by John L. Lewis, President

THE policy of the United Mine Workers of America at this time is neither new nor revolutionary. It proposes to allow natural economic laws free play in the production and distribution of coal.

The point for the American people to consider is that they cannot afford to have a diseased coal industry, because it is the basic business of the country and is bound to infect all others. This country can afford too many picture shows, too many brokerage houses or too many delicatessen shops. Time and the elimination of the incapable will take care of all such minor and localized troubles. But when the coal industry fails to function efficiently, the pocketbook of every American worker and business man, and the pantry of every American family is pilfered.

Twice within the last six years have impartial commissions appointed by Presidents of the United States investigated soft coal production and distribution. Both of these commissions found that the ills of the industry spring from overdevelopment—too many mines, and too many miners—and both reports reveal that other defects in the industry have contributed toward this overdevelopment and overproduction.

In 1920, there [occurred] the formation of the largest number of new coal companies in the history of any one year. This was the result of the onslaught against the public purse by the speculative element within the industry, who took advantage of the coal shortage following the strike of 1919, and the coincidental existence of an [inadequate railroad car] supply. The greatest sellers' market in history followed, with an \$8 f. o. b. mine run price. All but the larger companies, forgot all about contract obligations, and the public paid the toll. Most of the swollen earnings were reinvested in new mines and additional coal lands. The overdevelopment was intensified in both union and non-union coal fields.

Following the inevitable overproduction, came another lean year for the operators and miners. For the commercial mines it was made even worse, because scores of great public utilities, and industrial corporations, including Henry Ford's industries, began to acquire mines and produce their own coal, determined never again to be at the mercy of profiteer operators.

The self-inflicted losses led to another effort to take it out of the men. A great hue and cry was raised that the industry was suffering because of the arrogant insistence of union leaders on the maintenance of high wages. The demand for wage reductions, which if granted would not have improved the situation one iota, was followed in 1922 by the refusal of the operators to meet the Mine Workers in the usual joint wage conference.

In concert, Union and Non-union Operators [in the Central Competitive Field] inaugurated a nation-wide publicity attack upon the Mine Workers and what they termed unjustifiable wage rates.

The operators of Western Pennsylvania posted notices at the mines of wage reductions effective April 1, 1922. The operators of the other unionized districts closed down their mines to drift with the tide.

*The Maple Flooring Manufacturers' Association vs. United States and the Cement Manufacturers' Protective Association vs. United States. The decisions were rendered on June 1, 1925, by the Supreme Court of the United States.

Continued on next page

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HARRY L. GANDY—continued

hog-tied. There is every reason to have confidence in the ultimate result, and it is thought this confidence is shared by the owners of the coal properties who are the some 400,000 stockholders of coal companies, whose interests have suffered from the economic reverses. Several favorable signs are evident, indicating a turn of the tide. The increasing price of fuel oil, of which 391,000,000 barrels (including crude oil burned for fuel) were burned last year, is a potent factor in the equation. This quantity of oil is the equivalent, according to a statement by the United States Geological Survey, of about 92,000,000 tons of coal. Numerous authorities agree that the time is near at hand when oil for fuel purposes, other than naval use, will practically be off the market.

Examination of production charts shows the interdependence of the coal and steel industries. The steel corporation declared its "usual" extra dividend for the first quarter of 1925, in the face of a decrease in gross earnings of ten millions compared with the corresponding quarter of 1924. This surplus, the great balance wheel which gives stability to dividends and wages in the steel industry, is missing from the coal industry, where increased wages or lower prices, rather than surpluses, are the rule. Unlike the steel industry, one-half the coal industry has regulation of wages by the unions while all of it suffers frequently from slashing of prices below cost—the result of blind competition.

An economic development and one which may be viewed with some degree of optimism, is the tendency toward consolidations. Upon the outcome of this movement it is idle to speculate. Less than 100 mining companies today produce as much as one million tons per year, or one-fifth of one per cent. of the average output of the country. Only five or six companies produce five million tons each, or one per cent. of the output, and the production of the largest company in the country never

Continued on page 320

HON. TASKER L. ODDIE—continued from p. 306

from seventeen mining districts in seven other States.

The need for a central Governmental agency to handle the vast and complex problems incidental to the coal mining industry is well stated in the following brief extracts from the final report of the Coal Commission:

"First among the Commission's recommendations is that Congress make definite provision on a permanent basis for continuing the collection of coal facts, both to instruct public opinion and to correct administrative abuses. . . . In its educational relation to both the general public and the coal industry the Government occupies a well-defined field of endeavor. . . . In all investigating work relating to mining, the Federal Government has properly taken the lead.

It is true economy that studies which concern a score or more of States should be prosecuted under Federal auspices. . . . We look forward to the working out under Federal supervision of a national coal policy commensurate with the importance of the coal industry."

The citizens of our country have a right to expect as much assistance from the Government in the matter of fuel supply as they have received from it in connection with their food supply, through the provision which had been made for a great department, with thoroughly equipped specialized and technical bureaus, to study and solve the problems of the agricultural industry as they arise.

The beneficial effects of proper legislation and the application of improved methods in the coal industry will be felt at every fireside and by every coal-consuming power plant, public utility, and coal-burning transportation agency in our country, resulting in a substantial decrease in the cost of living.

UNITED MINE WORKERS OF AMERICA—continued

To preserve the economic standards of its membership the Union was forced to request its members to cease work upon the expiration of the contract. Thus the shut-down was automatically ushered in March 31, 1922, throughout all unionized coal fields where contracts expired.

Immediately the Non-union Operators became the backbone of the suspension and at the same time the beneficiaries of the high prices that set in for spot market coal. When the shut-down was called off as a result of the signing of a wage agreement based upon a renewal of all old rates and working conditions, the Non-union Operators had gobbled up another large portion of the markets, that by geography and other conditions rightfully belong to the unionized coal fields.

The public had endured great inconvenience and industry was crippled. The miners had endured five months of privation to maintain their economic standards, withstanding successfully the effort of their employers to visit upon labor the consequences of their own follies. Huge profits were reaped by operators in position to profit by the strike-caused scarcity. Non-union fields increased their production and opened up additional mines. The vicious cycle was again complete and another government investigation was ordered by the late President Harding. It found what the former commission had found in aggravated form.

An adequate supply of bituminous coal for the nation's needs always has been contingent on an adequate supply of railroad cars and locomotives and men to move them.

The great financial interests back of the railroads opened their purses in 1923 to the tune of over \$1,000,000,000 for new equipment, [with the result that] since 1923 there has existed at no time a car shortage that would tend to create a coal shortage in a single section of the country. With a sufficient car supply, the potential production was found to be around 40% over peak demand.

The achievement of the railroads has already precipitated a struggle between operators that bids fair to become the fiercest in the history of the coal business. Cut-

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HON. JAMES A. REED—continued from p. 306

Why not take over and own the copper mines, because copper is also a great necessity?

After the minerals that God Almighty made, then why not take under the beneficent protection of the Government the things which men produce? Why not sheep that men raise and that pasture on a thousand hills? Why not go into the sheep business, because the meat and fleece of sheep are great necessities?

Why not take over the cotton business, because cotton is a great necessity? Why not insist that the Government shall control that, for we could not get along today under modern conditions without the wonderful crop of cotton that is raised in the Southern States. Shoes are a necessity. We could by the same process of reasoning take them over. If we enter upon this scheme, if we permit the camel to put its socialistic nose into the tent, its gross body will follow, and it ought to follow. We have no more right to seize one private industry than we have to seize all private industries.

We are embarking on a career of socialistic madness.—
Extracts, see 5, p. 323.

Issues in the Present Anthracite Controversy

THE SEVEN DEMANDS OF THE ORGANIZED ANTHRACITE MINERS

These demands were drawn up at a Tri-State Convention of Anthracite Miners held at Scranton, Pa., on June 29, 1925, and were presented by John L. Lewis to the Joint Wage Conference of Anthracite Miners and Operators in convention at Atlantic City from July 9 to August 4, 1925.

- 1—We demand the next contract be for a period of two years with complete recognition of the United Mine Workers of America Districts 1, 7, 9.
- 2—We demand that the contract wage scale shall be increased ten per cent; all day men shall be granted an increase of \$1.00 per day; that the contract laborers' increase now being paid by the operators shall be added to the contract rates; that the differential in cents per day between classifications of labor previous to the award of the U. S. Anthracite Coal Commission shall be restored.
- 3—We demand uniformity and equalization of all day rates, and that the consideration rate of each colliery shall be equivalent to the average daily earnings of contract miners under normal conditions, and that for dead work performed by the contract miner, he shall be paid this consideration rate; and that skilled mechanics, such as carpenters, blacksmiths, and so forth, shall be paid the recognized standard rates existing in the region; and that engineers and pumpmen who do repair work on their engines and pumps shall be paid the recognized mechanics rate for this repair work; and that first class hoisting engineers shall be paid a more substantial rate of wages in keeping with the responsibilities and nature of the work; and that all day men shall be paid time and one-half for overtime and double time for Sundays and holidays.
- 4—We demand that where coal is paid for by the car it shall be changed, and payment shall be made on the ton basis of 2240 lbs. and where dockage and penalties are now imposed for refuse that the amount of refuse to be permitted in any car shall be fixed by the mine committee and colliery officials in conformity with the agreement, and that the present unreasonable penalties and dockage shall be abolished.
- 5—We demand payment for all sheet iron, props, timber, forepolling, extra and abnormal shoveling, where such is not now paid for, and that the same full rates shall be paid for skipping as for splitting pillars, both advancing and retreating; advanced openings driven for development purposes shall be paid for on the proper basis covering such work; that in thin veins, where the pitch is not sufficient to carry the coal on the bottom, the distance of the working places shall not exceed 150 feet; and that jackhammers and air necessary for their operation shall be supplied to miners free of charge, and that company workers shall be supplied with tools for use in their work free of charge; and that electric lamps and batteries where used shall be supplied free of charge.
- 6—We demand that a uniform rate of 20 cents per inch be paid for refuse in all kinds of mining up to 10 feet wide and that the rate for blasting top and bottom rock shall not be less than 30 cents per inch with the understanding

that these rates are to be the minimum not affecting higher rates than exist.

- 7—On the general improvement in conditions, looking toward greater efficiency in operations as an evidence of simple justice to those affected, we demand that the account of all cars loaded by the miner shall be credited at the working place; that maintenance men shall be continued at their regular necessary continuous occupations and not be replaced by others during broken time; that a 5-day work week be established which would permit of the working of the usual average number of days per year and provide for greater efficiency in operation and the elimination of the haphazard system of enforced idleness on different days as is now the practice; that contract miners shall be provided with work at the consideration rate, when, through no fault of their own, they are not permitted to work at the face of their regular working place; that all drivers should receive consideration for handling mules before and after quitting time; that in the laying off of men that the older men in point of service shall have seniority rights and likewise the older men in point of service who shall be out of employment shall be returned to such occupations available in conformity with the principle of seniority; that in the adjustment of grievances every possible improvement in the present system shall be made so as to provide for a more prompt and satisfactory determination of such grievances under the contract; that a more comprehensive method be outlined to protect the miners in having them placed on consideration work when through abnormal conditions they are unable to make wages; that employees of rock and stripping contractors be brought under the terms of the general agreement, with the same privileges and rights of all other employees; that all employees of Diamond Drill Contractors be brought under the agreement; and that their rates shall be uniform and standardized on a basis in keeping with the skill and knowledge required in the work.

In addition to these seven wage demands, the anthracite miners adopted two supplementary recommendations, viz.

- 1—Repairs, rebuilding and erection of new buildings are necessary to relieve the housing situation in many sections of the Anthracite Region; and we, therefore, recommend that our Scale Committee use every effort to have the general housing and sanitary conditions of the coal companies' properties improved upon as much as possible.
- 2—A number of coal companies who operate more than one colliery at times when market conditions are dull shut down some collieries completely and keep others in operation. We consider this most unfair and recommend that our Scale Committee use every effort to bring about an equal division of work at all collieries under any given company.—From the United Mine Workers Journal, August 1, 1925.

THE OPERATORS' VIEWS

STATEMENT BY SAMUEL D. WARRINER

Chairman, Anthracite Operators' Conference

THE present value of the anthracite industry's investment is upwards of \$900,000,000. Last year its production was valued at \$471,000,000. It distributed wages aggregating \$325,000,000 to employes numbering 160,000, and is the chief support of a population of 1,250,000 in the seven anthracite counties. From other industries it purchased \$75,000,000 worth of materials, largely produced in this State [Pennsylvania], and pays out for state, county and municipal taxes annually, about \$20,-

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ORGANIZED LABOR'S VIEWS

STATEMENT BY JOHN L. LEWIS

President, United Mine Workers of America

THE record of the United Mine Workers of America has been such that the Union has been justified before the bar of public opinion. Its influence and its power are being put forward not to cripple this industry, not to paralyze a community, but rather to contribute to the individual betterment of the working man in the mining industry.

Our representatives entered into negotiations at Atlantic

Continued on next page

THE OPERATORS' VIEWS—continued

STATEMENT BY SAMUEL D. WARRINER—cont'd

000,000. Its tonnage is a principal dependence of the railroads of eastern Pennsylvania. It gives employment to approximately 18% of the wage workers in State industries and these workers collect in wages approximately 30% of the total wages paid out in this State. To the anthracite region as a whole, the stabilized operation of the mines has developed progressive communities. The region compares favorably with any industrial center.

Today this great industry is going through the throes of another great industrial conflict. The present disturbance marks a crisis in its history. If I am to define the issues of the present strike, it will not be in the terms of the demands of the United Mine Workers, but in terms of industrial and economic fundamentals.

It has been generally assumed that the parties at interest [in this conflict] are the miners, the operators, and the public. To this I dissent. I add one more party at interest, namely, the United Mine Workers of America.

In spite of the prevailing idea that we, the operators, are in controversy with some 160,000 of our workers, I venture the statement that there is no irreconcilable conflict here. The worker wants a satisfying compensation; we want to give him such compensation within the limits of possibility. But for complicating circumstances arising outside of our industry the strike, if called, would have been readily settled. In the beginning of our relations with the United Mine Workers it was distinctly agreed that the anthracite industry was autonomous and that its affairs should be considered independently of the bituminous industry. It is an anomaly that the same organization controls the labor in two competing industries, for bituminous coal is a direct competitor of anthracite.

I am convinced by the statements of employees that the strike is not approved by the workers. The lack of opportunity for free expression is the source of many troubles.

What is the issue in its broader sense? It is: Shall the public be permitted to have an uninterrupted supply of anthracite at a reasonable price? If we concede that one of the controlling factors of the industry, by constant resort to force, shall succeed in interrupting supply and exacting a disproportionate share, the ruin of the industry looms before us.

It is claimed that prices can be increased and profits reduced to provide higher wages. We dispute both propositions. With some few exceptions, the industry is not prosperous, a large part of the production last year having been marketed at a loss or at no profit at all.

The fundamental remedy is the breaking of the "strike habit." Our major ills, interrupted supply, runaway prices and loss of markets, come from just one source—the strike.

Differences of opinion between the operators, the miners and the entire anthracite region can be and should be composed by mutual appreciation of the basic facts.

The industry is competitive within itself but what is of more importance, it is intensely competitive with other fuels.

The frequently quoted costs of production are the average costs of all the nine sizes of coal. To compare this cost against the retail price of domestic coal in a consumer's bin in a distant city is grossly misleading, for in addition to the cost of mining those sizes on which there is a profit, every anthracite company bears a loss on its steam sizes, constituting sometimes as high as 50% of its

Continued on next page

ORGANIZED LABOR'S VIEWS—continued

STATEMENT BY JOHN L. LEWIS—continued

City with the anthracite operators on July 9th,—some seven weeks in advance of the expiration of the anthracite contract on the 31st of August. Preceding the Atlantic City Joint meeting the Tri-District Convention was held in the City of Scranton, convening on June 29th, for the purpose of drafting a set of wage demands. Attending this convention were representative miners from every colliery in the Anthracite region. They were selected by their fellow mine workers in their home local unions. A Scale Committee was appointed in the Convention of these men, and this Scale Committee wrote the demands. They brought them into the convention and asked their endorsement. No officer of the United Mine Workers, either sub-District, District or International, exercised any influence upon those men who wrote that set of wage demands.

Representatives of the anthracite mine workers, my associate officers and myself presented those demands to the anthracite operators at Atlantic City on July 9th, and urged upon the anthracite operators due consideration of the merits of each one of them. Mr. Samuel D. Warriner, Chairman of the Anthracite Operators' Conference committee replied for the operators. Mr. Warriner's address did not constitute a reply to the representatives of the mine workers, and a multiplicity of statements made by the mine workers' representatives were utterly ignored and passed by. [He enunciated] three major propositions in his address: First, that under no circumstances could the anthracite operators agree to any demands of the United Mine Workers of America, embraced in their seven propositions; he proposed a reduction in the present wage structure in the anthracite industry; thirdly, he vitiated any thought of bona fide wage negotiations and he rendered impossible any success to the joint negotiations, by declaring the anthracite operators stood for arbitration of all the disputes.

Mr. Warriner and Mr. Richards, President of the Philadelphia and Reading Coal and Iron Company, then withdrew from the conference, and had other representatives elected upon the negotiating sub-committee. Notwithstanding this attitude, the mine workers' representatives, for some three weeks, day after day sat in conference with the negotiating committee of the anthracite operators, and day after day were told that upon no consideration would anything they proposed be agreed to that involved a fraction of a cent in increased cost of operation, it mattered not what the merits of the proposition might be.

Upon the Mine Workers' demand for complete recognition of the Union and the extension of the use of the check-off as made by the operators, there is no question of cost involved.

On August 4th, we asked the anthracite operators, Mr. W. W. Inglis, President of the Glen Alden Coal Company, replying for them,—these questions: "Do you intend to maintain your attitude, that any or all of the mine workers' demands which might mean an increase in the cost of operation, to a major or minor degree, will be denied by you?" His reply was in the affirmative.

We asked: "Do you then reject all of our demands?" And his reply was to the effect, again, that under no circumstances could they agree with any demand that meant increased cost of operation.

We asked: "Do you reject the demand for complete

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THE OPERATORS' VIEWS—continued

STATEMENT BY SAMUEL D. WARRINER—continued

production, and commanding prices considerably less than even the labor cost of production. If uneconomic burdens are imposed by labor a large section of the region will be forced to suspend operation altogether.

I concede that any industry must adequately compensate its workers. What does the miner earn? If there is obscurity on that point, it is because of the extreme complexity of the industry.

The mining of anthracite and making it ready for market requires the services of 100 or more classifications of labor. The actual number of "coal diggers" or miners, in the strict meaning of the word, comprises but 25%, of all the labor. These miners work under varying rates according to local conditions. They are piece-workers paid by the ton, the car or the yard; their earnings are largely dependent upon their skill and diligence.

In the mines of my own company, of 1,136 contract miners, who were on the payroll throughout the year 1924, 383 earned net in their pay envelopes, over \$3,000 in a year in which occurred an outlaw strike of three weeks' duration; 152 of that number earned over \$3,500. These men earned daily from \$12 to \$14, but they worked nearly every day the collieries were running. Only 52 of the whole number earned less than \$2,000, and none earned under \$1,500. The miners in this lower group worked only an average of 225 days which was 50 days less than the mines operated. To make these earnings the miners worked only 6.3 hours a day, according to Government figures, [companies have no effective check upon the time put in by miners] although our contract calls for an eight-hour day.

The great body of mine workers, other than miners, do work similar to that required in other industries. About one-quarter of all the mine workers work entirely above ground, and are not exposed to any of the hazards of mining.

Is the anthracite strike combined with a renewal of union activity in debatable bituminous fields an adroit appeal to government by the United Mine Workers, directed to restore to life in the bituminous field the Jacksonville agreement which has driven many operators to the verge of bankruptcy and thrown no less than 200,000 union mine workers out of employment? If so, the anthracite industry is but a pawn in the game, and the union leaders have violated their trusteeship of the interests of the anthracite mine worker. The bituminous industry achieved on paper an uneconomic peace. The disastrous outcome of that peace stands as a dramatic warning to the anthracite industry of what not to do.

What the [anthracite] industry needs is a return to its old labor relationships. The operators' proposition of arbitration is a step in that direction. The operators have no brief against the United Mine Workers so long as it is representative of the interests of anthracite mine workers.—Extracts, see 10, p. 323.

STATEMENT BY WALTER GORDON MERRITT
Counsel for the Anthracite Operators

THERE has been a tendency on the part of the press to criticize the parties for failure to disclose facts. I submit that the criticism is unjustified. There is no industry which has fewer secrets. There is no industry which has been more often publicly investigated.

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ORGANIZED LABOR'S VIEWS—continued

STATEMENT BY JOHN L. LEWIS—continued

recognition of our union for the same reason?" and he replied that they rejected the demand for complete recognition for some reason other than cost, on which he said we were advised.

What hope was there to convince the anthracite operators against their announced determination not to agree to anything which might disturb production cost? Upon that rock negotiations failed and the conference adjourned without delay.

Not by word or deed, in the period between July 9th and August 4th, did the operators' sub-committee deviate from the position taken by their authorized spokesman and leader upon the initial day of the joint conference.

Involved in the seven demands of the mine workers, the three outstanding propositions comprise a demand for increased wages, the full recognition of his Union, and the demand for uniformity in the wage rates of the industry, so that men may be upon a parity with each other and receive similar compensation for similar service rendered, a well recognized economic principle.

What does the average anthracite coal miner actually earn? These miners lose time through accidents, whether through falls, bad air, gas, lack of supplies, lack of mine cars, bad working conditions and injuries. Doing the most hazardous work in industry, which ceases in slack periods, under normal conditions, the anthracite miners of Pennsylvania are paid rates low as compared with similar occupations in the region. There are approximately one hundred separate occupations for men engaged in and about the mines of the anthracite colliery. It is the average miner with whom we are concerned as representatives of the mine workers.

In general the bulk of the work in an anthracite mine is done by contract and consideration miners and miners' laborers and day laborers inside and outside the mine. Contract miners are piece workers, paid by the ton. They are the best skilled men in the industry. They work in constant danger to life and limb.

In the report of the Coal Commission we find the statement that four-fifths, of the contract miners worked less than 260 days during the year investigated, and that two-fifths of them worked less than 190 days. They worked less than 190 days because of conditions entirely beyond their control, conditions largely having to do with the problem of efficient management of the collieries.

On the whole, the Commission found that the contract miners worked on an average of 248 days per year and made, at the time of the report, \$1,700 a year, or, under the new rate \$1,870 a year, an amount which in no way compensates for the hazards or the responsibilities of their work.

From these earnings, found by the Commission, must be deducted over \$200 per year for machinery and mine supplies and other tools which the miner is obliged to purchase for use in his work.

No one who knows the anthracite industry will dispute the fact that the contract miners' laborers make up one of the worst paid groups in the coal field. They are paid partly by the companies and partly by the miners, but their wage increases depend upon general increases. It was of this group the Coal Commission said: "Their families have a very uncertain and inadequate income. They are frequently in economic distress." Three-fourths of these men earn under \$1,500 a year. One-half of the con-

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Shall the Anthracite Wage Contract Be Arbitrated?

Pro

WALTER GORDON MERRITT

Counsel for the Anthracite Operators' Conference

AT THE opening of the Joint Conferences, July 9, 1925, Mr. Warriner, speaking for the operators, offered arbitration and declared: "Let me say to you here and now that the operators are prepared to co-operate in any fair and practicable plan, not only to prevent a suspension next September but to provide a means to prevent suspensions in the future in order that public anxiety in this respect may be put at rest. This can be accomplished by a long term agreement with provision for the adjustment of wage rates during that term so that wages may be conformed to changing economic conditions."

Despite this conciliatory opening, negotiations failed. Arbitration is rejected.

From being an earnest advocate of arbitration in 1902, the United Mine Workers, in its latter days, has changed into a distinguished opponent of arbitration. Among all the unions in the United States, it has the honor of being the banner-bearer of industrial combat as against peaceful arbitration.

Surely no union official should lead his people to abandon the sane principles by which their organization achieved its first major success, and to substitute strife for peace, unless his people are sorely oppressed and desperate.

The union is recognized, dealt with, and contracted with. There is no claim that there is discrimination against union men. On the contrary, union efforts to force a closed shop monopoly by button strikers in violation of the agreement have met with so little resistance from the operators, that now, in the words of the United States Coal Commission, "it exercises a practical monopoly."

No other industry in this country has gone so far as the anthracite industry in accepting the domination of a strong union in leniency toward union breaches of the union contract, in providing high wages and short hours, in recognizing a standing board of conciliation with an umpire, where every grievance may be arbitrated during the term of the agreement, and in offering arbitration to settle the terms of the underlying agreement.

Is this the picture of down-trodden workers, driven by desperation to substitute force for civilized methods? Do the union demands show any grievance justifying such extremities? On the contrary, they are demanding things no other union demands—the check-off, and a wage scale higher than any which has come to our attention, except certain building trades in certain localities.

The union, intoxicated with power, has turned from reason to force; from defense to aggression; from industrial peace to industrial war. And why? Because it has lost faith in its ability to sustain its demands before a tribunal of reason.

How long shall the operators stand unsupported by the public in their efforts to secure settlements by durable and peaceful methods? The anthracite strike habit has grown out of the supineness of the American people, and because of the constant desertion of the principle of arbitration.

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Con

JOHN L. LEWIS

President, United Mine Workers of America

MUCH has been said from July 9th to the present date about the operators' continued offers of arbitration of all matters in dispute and the refusal of the mine workers to accept their suggestion.

The mine workers believe in the principle of collective bargaining. They believe that inasmuch as they are to render service they have an inherent right to pass upon and decide for themselves the amount of wages they may receive for their services, the number of hours which they will work in a day, and the conditions of their employment. They believe they have the right to pass upon those things because with their hands and with their backs they perform the services which the contract covers.

Those three things mean everything to the man who toils. To yield to another man, to another commission, a created tribunal if you please, the power and the authority to decide those questions for the men who work means that there is given to that individual or to that created tribunal or commission the power to fix their wages and decide what kind of food they shall eat, the character of the clothes they and their families must wear, the hour they shall rise in the morning and the hour at which they shall return to their families, the character of the domicile in which he may seek shelter, the kind of man in our social fabric he may be. His status as a citizen in the body politic and the body economic is inexorably fixed by such decision from men exercising such authority. It means the power of life and death, and the mine workers do not like to yield their rights and prerogatives as men when they believe there is justice in their position, because so to do takes away from them the right of themselves to vote and pass upon and to accept or reject these conditions, these wages, these things which mean everything in their daily lives. That is the inherent opposition of the mine workers of the anthracite region to arbitration.

We have arbitrated with the anthracite operators and we know how they arbitrate. Their only reason for insistently suggesting it, day by day and from time to time, is that they think it might prejudice the mind of some individual, who has not studied the question, against the mine workers' position.

Who is asked to arbitrate except the worker,— to arbitrate the amount he shall receive for his efforts in the mining industry. Where is the anthracite coal operator who will say the question of what he shall sell his coal for f.o.b. the colliery might be arbitrated by some commission of distinguished men.

The mine workers have to sell the labor and service of their hands and their bodies. They are offering it for sale now to the anthracite operators. The anthracite operators say "we do not want you at your price, but we will let John Jones fix the price; we will take John Jones' judgment upon what we should pay you." Well, we don't know John Jones, and we don't think John Jones understands our problems. Consequently, we are reluctant to accept the good offices of John Jones to tell us what kind of citizens we should be and how much we shall get for

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Federal Operation of the Coal Mines?

Pro

J. A. H. HOPKINS

*Chairman, Executive Committee,
National Bureau of Information and Education*

THIRTY years ago Henry Demarest Lloyd in "Wealth Against Commonwealth," published in 1894, said:

"Within the last thirty years, 95 per cent of the anthracite coal of America—practically the entire supply, it was reported by Congress in 1893—has passed from the ownership of private citizens . . . into the possession of the railroads. . . ."

"These railroads have been undergoing a similar process of consolidation, and are now the property of eight great corporations. . . ."

"Railroad syndicates," says the investigation of 1888, 'are buying all the best bituminous coal fields . . . with a view of levying tribute upon the people's fuel and the industrial fires of the country.'

"The investigations by Congress in 1888 and 1893 both state that the railroads of the country are similarly becoming the owners of our iron and timber lands, and both call upon the people to save themselves. . . ."

Thirty years afterwards, in 1923, the U. S. Coal Commission, after an exhaustive investigation, reported to Congress that

"The fundamental fact in the anthracite coal problem is that heretofore these limited and exhaustible natural deposits have been in the absolute private possession of their legal owners, to be developed or withheld at will, to be leased for such royalties as could be exacted, to be transported and distributed at such rates and in such manner as a double-headed railroad and coal combination might find most advantageous from the point of view of private profit, to be sold at such prices as could be maintained by the restriction of output and the elimination of independent competitors, through such means as the maintenance of freight rates burdensome except to those who, owning both mines and railroads, could afford to be indifferent as to whether their revenue came from the one source or the other."

If we take the altogether reasonable position that the land (and especially the land containing our natural resources) belongs to the people, and that the use of the land and the development of our natural resources to the end that their products may be placed at the disposal and applied to the needs of their rightful owners, are public functions, then we must agree with those who believe in the nationalization of the coal mining industry.

Indeed it must be frankly admitted that there is a great deal in the report of the Coal Commission that justifies this stand, and very little which consistently supports its theory of government regulation.

The public [has] before it ample evidence of the fact that government regulation does not regulate.

The operators, including the royalty land owners and the combinations of operators and wholesalers, who have for years reaped enormous profits at the expense of the miners and the public, naturally oppose government ownership. But with equal vigor and obstinacy, and from the same motives, they have opposed every attempt to ascertain the existing facts or to interfere in any way

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Con

JOHN B. PRATT

Editor Coal Review, May, 1923

FEDERAL operation of the coal mines of the country would be an economic mistake. It would throw under Government control and regulation an industry that of its inherent nature is competitive and the operation of which, from the public viewpoint, is most advantageously carried on through competitive methods.

Mining as an investment is a hazardous undertaking and one in which the investor puts his money at great risk. It is an industry in which fortunes easily may be sunk in enterprises that are distinctly uncertain.

Because of its vast, complex nature, with bituminous mines spread variously through 30 States out of the 48 in the Union and with anthracite mines running thickly through eastern Pennsylvania, the coal mining industry is one which the Government would find it utterly impracticable to operate, either under a system of ownership or of direct control.

Federal ownership or control would destroy competition among these widely scattered mines. It would throw upon the Government the handling of intricate labor problems involving the fixing of wages to meet the perpetually increasing demands of the miners. It would mean the fixing of mine prices for coal, based not upon competitive conditions but monopoly.

The nation's experience in Government control of the railroads and ships during the war sufficiently indicates the difficulties of practical management that would ensue, the extravagances and inefficiencies that would develop.

This discussion will be confined to bituminous coal, since it is essentially the fuel of industry, while at the same time providing, in the Middle West, the South and the far West, the fuel for heating the home.

From the viewpoint of the cost to the Government, the acquisition of the country's mines is a formidable problem. The conservatively estimated investment value of bituminous coal properties under development today is approximately \$2,000,000,000 (U. S. Census Bureau report, 1921). If the Government essayed to take over this property it would naturally be obligated to pay the mine owners a reasonable compensation for the property taken.

Coal would not be any more plentiful under Government ownership. There would be no more ease in getting coal out of the mines, for that is entirely a matter of men and machinery. Ample output depends upon two things: (1) The miners remaining at work; (2) Adequate railroad facilities with which to haul the product from the mines to the market. Under Government ownership it is not conceivable that there would be any abandonment by the miners of the strike weapon. The railroad employees, under Government control of the roads, during the war threatened a nation-wide strike for higher wages and got them. The miners are on record before the United States Coal Commission as insisting, that they never will relinquish the right to strike. So there would be the same dislocations of mining operation as under private ownership.

Under Government ownership of the coal mines there would be no more adequate transportation facilities than under private operation. Whatever governmental inter-

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The White House

EDITOR'S NOTE: In the October, 1925 number, THE CONGRESSIONAL DIGEST inaugurated a new department. This department will report each month the outstanding public matters which have had the attention of the President during the preceding month. Such public matters will include appointments made by the President, addresses delivered by the President, executive orders, and proclamations issued by the President, etc. In the January, 1924 number of THE CONGRESSIONAL DIGEST, the Hon. Wm. Tyler Page, Clerk of the House of Representatives, U. S. Congress, fully described the position of the Executive under the Constitution. The July-August, 1924 number of THE CONGRESSIONAL DIGEST was devoted to a detailed account of the early and present system of election of the President, together with an article on the Powers and Duties of the President under the Constitution.

The President's Calendar

For the Period from September 20 to October 29, 1925

Executive Itinerary:

Sept. 27—The President and Mrs. Coolidge, after attending morning services at First Congregational church, boarded the Mayflower for an overnight cruise down the Potomac.

Oct. 4—Late in the afternoon the President and Mrs. Coolidge left Washington for Omaha, Nebr.

Oct. 5—The President, en route to Omaha, delivered a brief address at Flora, a small town in Southern Illinois.

Oct. 8—The President arrived in Washington, D. C., from Omaha, Nebraska. During the 73 hours of almost continuous travel the President devoted his time to rest and relaxation and handled only such routine government affairs as were necessary. The trip covered 2,500 miles and was the longest trip President Coolidge has made since he became President.

Oct. 11—The President, at the Stadium, tossed out the first ball for the first game of the World Series in Washington, D. C.

Oct. 12—The President received Czechoslovakian debt commission.

Oct. 17—The President and Mrs. Coolidge formally opened the Art Exhibition at the Corcoran Art Gallery, signaling the hundredth anniversary of the National Academy of Design.

Addresses:

Oct. 6—The President delivered an address at the annual convention of the American Legion at Omaha, Nebraska.

Oct. 20—The President delivered an address at the opening session of the National Council of Congregational Churches of the United States, at Washington, D. C.

Oct. 24—The President delivered an address at the international convention of the Young Men's Christian Associations at Washington, D. C.

Oct. 28—The President delivered an address at the unveiling of the monument to General Jose de San Martin, Argentine patriot, in Judiciary Park, Washington, D. C.

The presentation was made through Ambassador Pueyrredon, of Argentina, President Coolidge making an address of acceptance.

Proclamations:

Oct. 1—The President issued a Proclamation setting aside November 16-22 as American Education Week.

Oct. 4—The President issued a proclamation effecting a 50 per cent decrease in the duty on live Bob-White quail. The President rejected a recommendation by the Tariff Commission for an increase of 50 per cent in the duty on cotton warp knit fabric gloves.

Oct. 26—The President proclaimed Thursday, November 26 as Thanksgiving day in a Proclamation issued on this date.

Executive Appointments:

September 30—The President requested H. G. Dalton, Cleveland, Ohio, to inquire into the situation within the shipping board and report to him, he also requested Mr. Palmer, President of the Emergency Fleet Corporation, Chairman O'Connor and Commissioner Benson, of the Shipping Board to cooperate with Mr. Dalton.

Oct. 13—The President accepted resignation of John W. Weeks, Secretary of War.

Oct. 14—Dwight F. Davis, Mo., the Acting Secretary of War, was appointed Secretary of War, by the President, to succeed John W. Weeks, resigned. Mr. Davis took his oath of office on the day of the appointment. The oath was administered by William Howard Taft, Chief Justice of the Supreme Court.

Oct. 15—The President appointed Hanford MacNider, Iowa, assistant Secretary of War. Mr. MacNider took the oath of office October 16.

Oct. 28—The President appointed Scott Turner, of Lansing, Mich., Director of the Bureau of Mines.

Oct. 29—The President appointed Abram Garfield of Cleveland, Ohio, a member of the Fine Arts Commission.

Oct. 29—The President appointed Capt. John Halligan, Jr., chief of the Bureau of the Engineering of the Navy Department, with rank of Rear Admiral.

The Supreme Court of the United States

EDITOR'S NOTE: This department of THE CONGRESSIONAL DIGEST began with Vol. 3, No. 1, and is devoted to a brief non-technical review of current decisions of the U. S. Supreme Court which are of general public interest. The June, 1923, number of THE CONGRESSIONAL DIGEST printed the provisions of the Constitution of the United States upon which the Judicial Branch of our Federal Government rests. This number contained an account of the U. S. Supreme Court and the system of inferior federal courts, the relation of the Judicial Branch to the Legislative and Executive Branches of the Federal Government, and the relation between the Federal Judiciary and the States. The U. S. Supreme Court, its present procedure and work, were also described.

THE OCTOBER, 1925 TERM

October, 1925—June, 1926

THE Supreme Court of the United States convened in annual session at 12 o'clock, October 5, 1925. This term of the Court will continue until June, 1926. The 36 weeks of the annual term are divided into 19 weeks of argument and 17 weeks of recess for the purpose of writing opinions. The first recess this year will be from Oc-

tober 26, to November 16. The full membership of the Court was present for the opening of the new term as follows: Chief Justice William Howard Taft; Associate Justices: Mr. Holmes, Mr. Van Devanter, Mr. McReynolds, Mr. Brandeis, Mr. Sutherland, Mr. Butler, Mr. Sanford and Mr. Stone.

Search and Seizure Without Warrant

The Case—No 6. Thomas Agnello et al., Petitioners, vs. United States of America: Writ of Certiorari to Circuit Court of Appeals, Second Circuit.

The Decision—Judgment against Frank Agnello reversed; judgment against other defendants affirmed.

The Opinion—The opinion of the Court was delivered by Mr. Justice Butler, October 12, 1925, and is in part as follows:

Thomas Agnello, Frank Agnello, Stephen Alba, Antonio Centorino and Thomas Pace were indicted in the District Court, Eastern District of New York, under §37, Criminal Code, c. 321, 35 Stat. 1088, 1096, for conspiracy to violate the Harrison Act, as amended by the Revenue Act of 1918. The indictment charges that defendants conspired together to sell cocaine without having registered with the Collector of Internal Revenue and without having paid the prescribed tax. The overt acts charged are that defendants had cocaine in their possession, solicited the sale of it, met in the home of defendants Alba at Brooklyn, and made arrangements for the purpose of selling it, brought a large quantity of it to that place, and sold it in violation of the Act. The jury found defendants guilty. Each was sentenced. * * * The Circuit Court of Appeals affirmed the judgment. 290 Fed. 671. * * *

As a part of its case in chief, the government offered testimony tending to show that, while some of the revenue agents were taking the defendants to the police station, the others and the city policeman went * * * to Frank Agnello's room, found a can of cocaine which was produced and offered in evidence. The evidence was excluded on the ground that the search and seizure were made without a search warrant. * * * Frank Agnello testified on direct examination that he received the packages from Centorino but that he did not know their contents. * * * In rebuttal, over objections of defendants, the government was permitted to put in the evidence of the search and seizure of the can of cocaine in Frank Agnello's room, which therefore had been offered and excluded.

The case involves the questions whether search of the house of Frank Agnello and seizure of the cocaine there found, without a search warrant, violated the Fourth Amendment, and whether the admission of evidence of

such search and seizure violated the Fifth Amendment. The Fourth Amendment is:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The provision of the Fifth Amendment invoked is this:

"No person . . . shall be compelled in any criminal case to be a witness against himself."

The right without a search warrant contemporaneously to search persons lawfully arrested while committing crime and search the place where the arrest is made in order to find and seize things connected with the crime as its fruits or as the means by which it was committed, as well as weapons and other things to effect an escape from custody is not to be doubted. * * *

The legality of the arrests or of the searches and seizures made at the home of Alba is not questioned. Such searches and seizures naturally and usually appertain to and attend such arrests. But the right does not extend to other places. Frank Agnello's house was several blocks distant from Alba's house, where the arrest was made. When it was entered and searched, the conspiracy was ended and the defendants were under arrest and in custody elsewhere. That search cannot be sustained as an incident of the arrests. * * *

Under the Harrison Act * * * it is unlawful for any person who has not registered and paid a special tax, to have cocaine in his possession, and all unstamped packages of such drug found in his possession are subject to forfeiture. We assume, as contended by the government, that defendants obtained from Frank Agnello's house the cocaine that was taken to Alba's house and there seized; that the can of cocaine which later was found in Agnello's house was unlawfully in his control and subject to seizure and that it was a part of the cocaine which was the subject matter of the conspiracy.

The government cites *Carroll v. United States*, supra; but it does not support the search and seizure complained of. * * * The search and seizure were made by prohibition agents without a warrant. * * *

While the question [of search and seizure without warrant] has never been directly decided by this court, it has

always been assumed that one's house cannot lawfully be searched without a search warrant, except as an incident to a lawful arrest therein. * * *

The protection of the Fourth Amendment extends to all equally,—to those justly suspected or accused, as well as to the innocent. The search of a private dwelling without a warrant is in itself unreasonable and abhorrent to our laws. Congress has never passed an act purporting to authorize the search of a house without a warrant. On the other hand, special limitations have been set about the obtaining of search warrants for that purpose. Thus, the National Prohibition Act, approved October 28, 1919, * * * provides that no search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale of intoxicating liquor or is in part used for business purposes, such as store, saloon, hotel * * *. And later, to the end that government employees without a warrant shall not invade the homes of the people and violate the privacies of life, Congress made it a criminal offense, punishable by heavy penalties, for any officer, agent or employee of the United

States engaged in the enforcement of any law to search a private dwelling house without a warrant directing such search. Act of November 23, 1921. * * * Safeguards similar to the Fourth Amendment * * * have been provided in the constitution or laws of every State of the Union. We think there is no state statute authorizing the search of a house without a warrant. * * * Save in certain cases as incident to arrest, there is no sanction in the decisions of the courts, federal or state, for the search of a private dwelling house without a warrant. Absence of any judicial approval is persuasive authority that it is unlawful. * * *

It is well settled that, when properly invoked, the Fifth Amendment protects every person from incrimination by the use of evidence obtained through search or seizure made in violation of his rights under the Fourth Amendment. * * *

The admission of evidence obtained by the search and seizure was error and prejudicial to the substantial rights of Frank Agnello. The judgment against him must be set aside and a new trial awarded. But the judgment against the other defendants may stand.

The Coal Commission's Recommendations Relative to Labor Relations

—continued from p. 305

the industry and in that of the public, every contract should provide for this contingency. The best approach to a remedy for the evils of the general strike will not, in our judgment, be found in an immediate resort to drastic prohibitory measures. Whatever artificial gap may have developed between employer and employee, they must work together or there can be no peace and no real efficiency. The weight of opinion among operators and union officials alike is that they themselves desire to fix the fundamental terms upon which the industry shall operate. It is believed that the operators and the union are equal to this task if once they recognize the finality of the public insistence on continuous operation and address themselves single-mindedly to bring that object to pass.

It is believed that the combination of continuous investigation and publicity, with the possible resort to mediation at the instance of the President of the United

States, may remove the necessity for more drastic emergency measures. The process here outlined should have a sobering influence that will make strongly for enforcing responsibility to the public among representatives of both the operators and the miners. Until measures for holding both sides to their responsibilities have been exhausted, it will be extremely unwise for the public to embark on coercive measures of regulation of labor relations.

While it is believed that the above suggestions will encourage mutual accommodation and agreement at the time of the renewal of negotiations and will therefore lessen the chances of national strikes or suspensions, the fundamentally constructive opportunity lies in the building up of the day-to-day relations within the agreement period. Improvement in industrial relations during the life of the agreement would very considerably lessen the probability of a national strike.—Extracts, see 9, p. 323.

Glossary—continued from page 302

Choke damp—A mine atmosphere that causes choking, or suffocation due to insufficient oxygen.

Broken Coal—In anthracite only; coal that is small enough to pass through a $3\frac{3}{4}$ to 4 inch (square) aperture, but too large to pass through a $2\frac{3}{4}$ or $2\frac{1}{2}$ inch mesh. Smaller than steamboat, and larger than egg coal.

Buckwheat Coal—In anthracite only. Buckwheat is divided into four sizes; No. 1, or buckwheat; No. 2, or rice; No. 3, or barley; No. 2, or silt (sometimes also called culm or slush). Buckwheat No. 1 passes through a $\frac{3}{8}$ -inch woven wire screen and over a 5-16-inch woven wire screen, through a 9-16-inch round punched plate and over a $\frac{3}{8}$ -inch round punched plate.

Breast—The face of a working. In coal mines, a chamber driven in the seam from the gangway, for the extraction of coal.

Bulletin—A tabulation sheet on which the weight of

each car load of coal each miner sends out is entered. Also called Coal bulletin.

Briquet—Fuel consisting of slack, or coke breeze, with usually some binding material, and pressed into lump form; also called Coalette, Egette, Boulet, and Carbonet.

Bunker Coal—A term applied to coal consumed by ocean steamers, tugs, ferry-boats, or other steam water craft. Also called Bunkers.

Button Strike—A strike called by the union for the purpose of compelling a worker in a colliery to join the union or to pay union dues. A certain day each month is observed as button day. Buttons with a distinguishing mark or color for every month in the year are supplied to the local unions. These buttons are receipts for the monthly dues, and miners are supposed to wear them, so that the button committee can easily see them. If a miner is discovered by the committee without such a button, and

Continued on page 321

Recent Government Publications of General Interest

The following publications issued by various departments of the Government may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

AGRICULTURE

Cost of Producing Field Crops, 1923—by M. R. Cooper and C. R. Hawley. (Dept. of Agriculture Circular No. 340.) Price, 5 cents. Production costs in 1922 and 1923, production of wheat, oats, potatoes, and cotton in 1923.

The Flight Activities of the Honeybee—by A. E. Lundie. (Dept. of Agriculture Bulletin No. 1328.) Price, 10 cents.

The Plantation Rubber Industry in the Middle East—by David M. Figart. (Trade Promotion Series No. 2.) Price, 50 cents. Production, financial aspects, general problems, reports on individual countries, etc., with statistics.

Some Economic Aspects of Farm Ownership—by Charles L. Stewart. (Dept. of Agriculture Bulletin No. 1322.) Price, 5 cents. Long-time average conditions of ownership, trends in ownership conditions, adjustments in renting and purchasing farms, etc.

BUILDING PERMITS

Building Permits in the Principal Cities of U. S. in 1923. (Labor Statistics Bulletin No. 368.) Price, 20 cents.

CARTOGRAPHY

Elliptic Functions Applied to Conformal World Maps by Oscar S. Adams. (Coast and Geodetic Special Publication No. 112.) Price, 20 cents. Technical discussion of the subject, with many mathematical tables.

COMMERCE

Trading Under the Laws of Cuba—by Guerra Everett. (Trade Information Bulletin No. 343.) Price, 10 cents. Legal aspects of American-Cuban commerce, and industrial property, with appendix.

Uniform Through Export Bill of Lading—by W. Rodney Long. (Trade Information Series No. 335.) Price, 10 cents. Rail bills of lading, uniform livestock contract, ocean bills of lading, etc.

EDUCATION

Elementary Instruction of Adults (Education Bureau Bulletin 1925, No. 8.) Price, 5 cents. Native illiterates (Group A), foreign-born illiterates (Group B), foreign-born beginners (Group C), etc.

High School Education of the Farm Population in Selected States by E. E. Windes. (Education Bureau Bulletin No. 6, 1925.) Price, 5 cents. Comparative intelligence of farm and nonfarm children as determined by group tests of mental ability, relation of population distribution to high school enrollment, etc.

The Rural High School, Its Organization and Curriculum—by Emery N. Ferriss. (Education Bureau Bulletin No. 10, 1925.) Price, 10 cents. General organization of the rural high school, organization of the teacher's work, the principal's work in the rural high school, the school and the community, the curriculum, etc.

Contribution of Home Economics to Citizenship Training—Proceedings of the National Conference of City Supervisors of Home Economics, Washington, Apr. 21, 1924. (Education Bureau Bulletin 1925, No. 3.) Price, 10 cents.

Land-Grant College Education, 1910-1920: pt. III, Agriculture—edited by Walton C. John. (Education Bureau Bulletin No. 4, 1925.) Price, 25 cents. Survey of Agricultural education in land-grant colleges, etc., with index.

FEDERAL ANTI-TRUST DECISIONS

Federal Anti-Trust Decisions, Cases Decided in United States Courts, Arising under, Involving, or Growing out of the Enforcement of the Federal Anti-Trust Acts of, July 2, 1890, 26 Stat., 209; Aug. 27, 1894, 28 Stat., 570; Feb. 12, 1913, 37 Stat., 667; Oct. 15, 1914, 38 Stat., 730; Including a Few Somewhat Similar Decisions not Based Upon Those Acts, 1917-1923. . . . 8; 9. Price, \$1.50 per vol.

FEDERAL TRADE COMMISSION

Report of the Federal Trade Commission on the Grain Trade: Vol. VI, Prices of Grain and Grain Futures. Price, 60 cents. General features of grain prices, yearly cash-grain prices and various elements of supply, further aspects of grain prices, price leadership between terminal markets, etc., with list of tables in appendixes, and list of diagrams.

FOREIGN TRADE

The Balance of International Payments of the United States in 1924—by Rufus S. Tucker. (Trade Information Series No. 340.) Price, 10 cents. The balance of unfunded indebtedness, movement of merchandise, analysis of merchandise trade, movement of gold, etc.

Foreign Trade of the United States, in the Calendar Year, 1924. (Trade Information Bulletin No. 332.) Price, 10 cents. Summarizes in compact form the foreign trade of the United States.

International Trade in Wheat and Wheat Flour—by J. A. LeClerc. (Trade Promotion Series No. 10.) Price, 40 cents. Production, exports of wheat and flour, wheat-grain shipments, international movement of wheat, consumption of wheat, etc., with list of tables.

IMMIGRATION

Immigration Laws and Rules of July 1, 1925. Price, 15 cents.

INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission Reports, vol. 86. Decisions of the Interstate Commerce Commission of the United States. (Finance Reports), Dec. 1923-Apr., 1924, vol. 88, Feb.-Apr., 1924. Price, \$2.25 per vol.

JUVENILE COURTS

Juvenile Courts at Work, a Study of the Organization and Methods of Ten Courts—by Katharine F. Lenroot, and Emma O. Lundberg. (Children's Bureau Publication No. 141.) Price, 45 cents. The juvenile-court movement, jurisdiction of the courts, staff of the court, the court and the community, with appendixes and illus.

LABOR

Union Scale of wages and Hours of Labor, May 15, 1924. (Labor Dept. Bulletin No. 388.) Price, 25 cents. Average hourly rates of wages and number of changes in union scales in specified trades in the United States, weekly hours of labor in the principal trades, United States, index numbers of union scale of wages and hours of labor, 1907 to 1924, United States, with table.

Labor Conditions in the Shoe Industry in Massachusetts, 1920-1924, by Robert S. Billups and Philip L. Jones. (Labor Dept. Bulletin No. 384.) Price, 10 cents. Causes of depression, agreements and adjustments, kinds of shoes made, average hours and earnings, cost of producing and selling shoes in Haverhill and Lynn, and production of shoes by States.

MARRIAGE AND DIVORCE STATISTICS

Marriage and Divorce, 1923. Price, 10 cents. Marriage and divorce statistics, etc., with detailed tables.

MEAT PRODUCTS

Marketing of American Meat Products in Export Trade—by J. E. Wrenn. (Trade Information Series No. 333.) Price, 10 cents. Beginning and development of export trade, decline in American export meat trade, effects of European war, and trade rules, etc.

Retail Marketing of Meats; by Herbert C. Marshall. (Dept. of Agriculture Bulletin No. 1317.) Price, 15 cents. Agencies of distribution, methods of merchandising, and operating expenses and profits.

NAVY DIRECTORY

Navy Directory, Mar. 1, 1925. Price, 25 cents. Officers of U. S. Navy and Marine Corps, also officers of U. S. Naval reserve force (active), Marine Corps reserve (active), and foreign officers serving with the Navy.

PORTS

The Ports of Seattle, Tacoma, Bellingham, Everett, and Grays Harbor, Washington. (Port Series No. 7.) Price, \$1.70. Ports and harbor conditions, port customs and regulations, port services and charges, fuel and supplies, communications, etc., with illus.

The Ports of Los Angeles, Long Beach, San Diego, and San Luis Obispo, California. (Port Series No. 13.) Price, 75 cents.

RAILROAD STATISTICS

Thirty-Seventh Annual Report on the Statistics of Railways in the United States for the Year Ended December 31, 1923. Price, \$1.50. Including also Statistics based on Monthly and Quarterly Reports of Railways for Year 1924, as well as Selected Data Relating to other Common Carriers Subject to the Interstate Commerce Act for Years 1923 and 1924.

SUPREME COURT OF U. S.

United States Reports, vol. 265, Cases Adjudged in the Supreme Court, at October Term, 1923, from Apr. 28, 1924, to June 9, 1924. Price, \$2.50. Table of cases reported, table of cases cited, table of statutes cited, with index.

TAX REGULATIONS

Regulations 68, 1924 edition, Relating to the Estate Tax, Under Part I, Title III of the Revenue Act of 1924. Price, 15 cents. These regulations apply to estates of descendants dying after effective date of Part I, Title III, of the Revenue Act of 1924. Estate Tax Regu-

Continued on next page

lations 37 (revised Jan., 1921) and regulations 63 (1922 edition) remain in force and effect only in so far as indicated in Article 109, *infra*.

Internal Revenue Bulletin, Cumulative Bulletin III-2, July-December, 1924. Price, 50 cents. Rulings Nos. 1642-1949, income tax, sales tax, estate tax, capital stock tax, and miscellaneous tax, with index.

U. S. CONSTITUTION

Constitution of United States of America as amended to Dec. 1, 1924. Price, \$2.50. Citations to cases of Supreme Court of United States construing its several provisions collated under each provision.

Sixty-eighth Congress, First Session, Senate Document No. 154.

U. S. COURT OF CLAIMS

Cases Decided in the Court of Claims of United States, at Term of 1923-24, with Abstract of Decisions of the Supreme Court in Appealed Cases from Oct., 1923, to June, 1924. Vol. 59. Price, \$2.25.

WOMEN IN INDUSTRY

Standard and Scheduled Hours of Work for Women in Industry. (Women's Bureau Bulletin No. 43.) Price, 15 cents. Schedules of women in industry in 13 States and 2 cities, etc., with text tables, and appendix tables.

How Coal is Mined—continued from p. 294

power—steam, compressed air, gasoline, and electricity—the last being the most popular. Animals are now used in the mine only for gathering purposes, i.e., for collecting the individual cars from the rooms and assembling them in trips [trains] for the motors. Some mines use special gathering motors.

Mine Tracks—Arrangement and construction of underground tracks to handle tonnages is an important matter. Haulage is confined within definite limits by available entries, and the operating system must be carefully worked out to avoid congestion, confusion, collisions, and waste effort. Loaded trips of a certain number of cars arriving at definite intervals at the tippie are arranged for. Delays in gathering, main haulage or at the tippie will quickly cause congestion and consequent further delays throughout the system, that may easily result in a loss of several hundred tons in a day's production and with no reduction in overhead.

Mine Drainage—Drainage systems at large mines making considerable water are often complicated and involve different methods of procedure. Some fourteen tons of water are handled from anthracite mines for every ton of coal produced. These mines contend with substantially the largest volumes of water [but the problem of drainage is a serious one in all mines of any depth.]

Mining Machines—Mining machines effect very important savings when worked under favorable conditions and may even be the determining factor in putting the mine on a profitable basis. American operators are alive to the economy of machine mining and the bulk of the coal is now produced by this method. There is an enormous amount of unskilled labor attached to coal mining. Perhaps two-thirds of underground work is confined to hand shoveling coal from the mine floor to the car. [It is estimated that the industry hand shovels 700,000,000 tons of coal a year.] The engineers of the U. S. Coal Commission made a study of the application of underground loading machines in the bituminous mines and the comparative cost of mining by this method and by hand loading. They found that loading machines effected a saving of about 30% on the average. It was figured that if half the bituminous mines in the country were equipped with machines there would be an annual saving in cost of production of more than \$200,000,000.

Preparation of coal begins at the working face and may even have an influence on the system of mining used, certain methods giving greater or less percentages of lump or fine coal.

The Mine Tippie—Bituminous coal is prepared for market at the tippie, where it is dumped from mine cars into railroad cars for shipment to consuming centers. The term tippie is applied indiscriminately to any kind of structure by means of which coal is dumped into railroad cars. It may consist of anything from a simple temporary frame structure used for dumping a limited tonnage of

prospect coal, to an elaborate combined headframe and tippie, equipped with several sets of screens, picking tables, conveyors, elevators, etc. The capacity of tipples varies from a few hundred tons up to thirteen thousand tons per day.

The Anthracite Breaker—The breaker is to the anthracite industry what the tippie is to the bituminous, though there is little comparison between the two. The modern anthracite breaker is a massive steel and concrete structure, the cost of which runs into a million dollars or more, and embodying every known device for sizing, cleaning, and handling coal. Raw coal usually enters the breaker at the top and passes down by gravity through various stages of its treatment, the cleaned product being assembled in bins according to sizes at the bottom, ready for loading in railroad cars. The breaker includes an intricate array of screens, jigs and picking tables for washing and cleaning coal, crushers, chutes, conveyors, elevators, together with machinery for driving all of this apparatus.

Washing and Cleaning Coal—There are two general methods of cleaning coal, hand-picking and washing. Hand picking contemplates a removal of foreign material in coal by manual labor and is practiced from the time coal is loaded on cars in the mine until it is put on railroad cars under the tippie. Miners are constantly cautioned against loading any loose rock, which there is a temptation to do because of extra weight, and are sometimes penalized for doing so. Boys are usually employed for removing rock and slate at anthracite mines and to facilitate work coal is run on picking tables, which are large, slow-moving conveyors. Anthracite coal is separated into seven common sizes, which are standardized as follows: buckwheat No. 3; buckwheat No. 2; buckwheat No. 1; pea; chestnut; stove; and egg. There are also some sizes larger than these such as grate, broken, and steam-boat. These are seldom made except on special orders. The difference in the market price between buckwheat No. 1 and pea coal is about \$2 per ton. A good sized colliery will produce 280,000 tons of pea coal a year and if even 10% of this should be reduced to buckwheat No. 1 by rough handling the loss to the company would be \$56,000 a year on this one size alone. Breaker designers have worked out many ingenious methods for preventing undue breakage.

There is not such a wide difference in the price of different sizes of bituminous coal and in addition a considerable portion of this coal is sold as run-of-mine, i.e., as it comes from the mine without any screening. Only four general sizes are recognized in the soft-coal trade, as follows: slack; nut; egg; and lump. These are by no means standardized as to name or dimensions, the practice varying in different fields, and particularly in the Middle West, where an intensive domestic trade has developed the need of a highly specialized preparation which somewhat resembles that of the anthracite breakers.—*Extracts.*

Pro—continued from p. 312

WALTER GORDON MERRITT—continued

tration by the American people when strikes threaten the anthracite field.

No one desires arbitration for its own sake. At best, it is the lesser of two evils. Every business man, every trade union, and every nation would rather settle its differences by direct conference and negotiation than through the submission of the issue to strangers, and this is entirely true of anthracite operators, who do not enjoy the intervention of outsiders. So it happens that when parties agree in advance to arbitrate issues upon which they cannot reach an agreement by conferences, that they both labor earnestly for a direct agreement rather than incur the burdens, uncertainties, and vexations of arbitration. An agreement to arbitrate operates as an incentive for both parties to moderate and compromise demands which might not appeal to the arbitrators, and tends to pry the parties loose from unreasonable positions. I know of no better influence for a successful negotiation than to have the parties feel that arbitration must settle all unsettled points. Like a law-suit, it is a spectre in the background which all desire to avoid.

But there is something worse than outside intervention, and that is costly combat, particularly when the combat inflicts privation upon the public. And so the operators have stood for arbitration, not as an obstacle to negotiation, but as a means toward a settlement, and have agreed to let representatives of the public fix the wages they shall pay.

No improvement can be expected until the public and the government has the resolution to resist such practices and to require adjustments on a sound basis. To settle these difficulties under threat of the big stick of the strike or through some adroit political maneuver will never accomplish durable results.—Extracts, see 12, p. 323.

THE OPERATORS' VIEWS—continued from p. 311.

STATEMENT BY WALTER GORDON MERRITT—continued

In 1923 the United States Coal Commission investigated the industry for nearly a year. The Coal Commission gave out its reports on labor in August. In the meanwhile the strike was threatened, and the Governor of Pennsylvania intervened that same month. What happened?

1. The Coal Commission, in its report, recommended voluntary arbitration as a means of avoiding these periodic stoppages. The operators urged arbitration. The Governor of Pennsylvania ignored this plea.

2. Concerning wages, the Coal Commission had found: "Those who take full advantage of their opportunities to earn in the various occupations connected with the industry and are not handicapped by serious misfortune need not suffer from lack of shelter, food, clothing, or other decencies and comforts of life, even without supplementary earnings of wife and children."

The only adjustment in wages recommended was in respect to the miners' laborers, representing a small percentage of the total number of employees. The Governor of Pennsylvania forced upon the industry a flat 10 per cent increase in the wages of all employees.

3. Referring to the profits of the industry, the Commission found that some companies made large profits, but held in substance that the industry as a whole could not be carried on with smaller margins.

*Continued on next page***Con**—continued from p. 312

JOHN L. LEWIS—continued

going into a gaseous place and working under loose rock and quite frequently being hauled out of there. It is life and death. It is the dreams, the aspirations, the ideals and the convictions of honest, free men that you are dealing with.

The United Mine Workers of America here in the anthracite region recognize the principle of arbitration of disputes arising within the life of the contract, and we have our Anthracite Joint Board of Conciliation to pass upon those questions, because they are minor questions in comparison with the fundamental problems involved in the making of a contract. But, we have drawn the line as affecting the right of some one to say to our 158,000 people "here is your award; here is how you shall labor; here is your compensation; go thou and obey this writ."

Arbitration in the present instance does not offer any solution of this controversy between the anthracite operators and the mine workers. The operators offered it in the first place to vitiate the possibility of successful wage negotiations. We are convinced they are deliberately following a prescribed policy that is designed to bring about a suspension in the industry. We believe they want a suspension in the industry for substantial commercial reasons. We believe they want to dispose of their accumulated stocks of steam sizes at enhanced prices. They are selling their coal now, and why should they negotiate when they can make more money by not negotiating—creating a suspension of a definite period rather than negotiating and making a contract and having the mines remain in operation after September first.

We have tried in every honorable way to negotiate a new contract with the anthracite operators—Extracts, see 11, p. 323.

ORGANIZED LABOR'S VIEWS—continued from p. 311

STATEMENT BY JOHN L. LEWIS—continued

tract miners' laborers work less than 230 days a year. So unsatisfactory are the rates of pay and working conditions that the labor turnover is notoriously high.

Inside and outside day men, one of the largest groups in the industry are underpaid. These men are paid a flat day rate that varies from \$4.62 to \$5.96. There are wide discrepancies between the rates paid for labor of this sort in the anthracite fields and the rates paid to similar laborers in other industries. As the Coal Commission says, any outside men who are earning above \$1,600 per year are working as many or more days than there are in the calendar year, through overtime work at night, or ninety-five days more than the industry averaged in 1924. Men earning more than \$1,352 are working a maximum full time working year with no days lost for delays or absence of any kind. Seven out of ten inside day men earn less than \$1,500 per year. We submit these figures, authoritatively gathered, with the 10% increase of 1923 added, in order that the public may have accurate information as to the earnings and annual income of the men who work in the anthracite coal industry.

It is entirely beside the question to point out a man, whom some one may know, who, because of exceptional ability, skill and unusual physical attributes, is able to earn vastly in excess of these average sums. We are dealing with the average man who works for a living in the

Continued on next page

THE OPERATORS' VIEWS—continued

STATEMENT BY WALTER GORDON MERRITT—continued

No employee works more than eight hours. Contract miners work only seven hours. Anthracite miners at the present time, with some minor exceptions, are enjoying higher annual earnings than any other workers of whom we have found a record. They receive 75 per cent of the gross income of the business. Their annual earnings, as shown by official reports, are higher than those of such highly paid employees as railroad workers, machine shop employees, electrical workers, printers, soft coal miners and metal miners.

The average annual earnings of all anthracite employees, which includes a large proportion of unskilled labor, is upward of \$2,000—more than \$700 above the average for all industries. The contract miners average over \$2,500 or \$1,200 more than the average for all industries. The rate of increase in wages since 1914 is 192 per cent, while in railroading the increase has been only 141 per cent; in manufacturing 129 per cent, and in building 111 per cent. The present demands of the Union would add \$2.00 per ton to the cost of producing coal.

A great deal has been said about the hazards of the industry and its toll of death and injuries. Anthracite mining is a hazardous industry, but there are a dozen or more other industries equally hazardous, including railroading, in which wages are lower than anthracite wages. The miners are not offering co-operation to insure greater safety, nor are they making any charges of culpability against the operators, for they know that the operators are doing all they can to guard life and limb. On the contrary, a substantial number of accidents occur because of failure of employees to live up to reasonable safety rules.—Extracts, see 12, p. 323.

HARRY L. GANDY—continued from p. 308

was over three and a half per cent. of the total production. Thus it readily can be seen there is room for such consolidations in this highly competitive field as will provide for economy and flexibility of operation.

Two contrasting economic theories are juxtaposed nowadays—the one which would strangle business by bureaucracy, the other which would encourage private initiative and enterprise. Such theories, close together as they are in the economic spotlight, heighten each other, as do contrasting colors. It would be serious for American business, in respect to this or any other industry, to remain passive in the face of proposals to make even one short step looking to governmental control, remembering that it is the direction, rather than the length of the step which counts.—Extracts, see 4, p. 323.

Pro—continued

J. A. H. HOPKINS—continued from p. 313

with the autocratic control of the country's coal supply which they have exercised for so many years.

So that government ownership, as an alternative [to government regulation] is worthy of very serious consideration, bearing in mind that if this policy were adopted all of the recommendations which we have suggested [as to government regulation] could be carried out even more effectively.

The United States Coal Commission has pointed out very clearly that up to the present time our coal de-

*Continued on next page***ORGANIZED LABOR'S VIEWS—continued**

STATEMENT BY JOHN L. LEWIS—continued

industry. The mine workers' earnings average below a decent standard of living and far below a desirable standard.

It has been asked whether the operators can pay a wage increase; whether they can pay to render their mines more safe; whether it is commercially possible for them to do so?

One official body of investigators after another has reported steady and phenomenal increase of earnings by anthracite coal companies during the past five years. While these profits have been coming in, the operators have been paying a yearly wage far below the health and decency budget set by economists for other groups of American workers.

Our own investigations, like those of official bodies, convince us a wage increase can be granted without it costing the coal consuming public one extra cent.

We are ready to meet with the anthracite operators and negotiate with them if they will but concede that the negotiations shall be upon a basis of fact.—Extracts, see 11, p. 323.

UNITED MINE WORKERS OF AMERICA—cont'd from p. 308

throat competition is a mild phrase to apply to it. The Non-union fields further removed from the larger centers of consumption than the unionized mines of the central competitive field, and therefore handicapped by higher freight rates have cut wages and coal prices to the bone in the hope of winning the markets heretofore supplied by Union coal.

With an adequate coal supply neither the Non-union nor the Union operator can hope for the high prices caused by the annual car shortage. With a three-year wage agreement in the Union fields, which forestalls strikes and leaves no hope to the Non-union operator of profiteering at the expense of the Union fields during suspensions, the Non-union interests have undertaken to bankrupt the operators of the Union fields. But in so doing they are gradually bankrupting themselves, in the vain effort to overcome geography by selling enslaved man-power in competition with coal. At the same time the struggle in the Union fields is slowly weeding out uneconomic mines, obsolete equipment and incompetent management.

Naturally this competition, ruinous to all but the strongest and most efficient coal companies, is reflected in a widespread demand from the more adversely affected operators for a wage reduction in the Union fields.

In insisting on the maintenance of an American wage standard in the coal fields the United Mine Workers is also doing its part to force a reorganization of the basic industry of the country upon scientific and efficient lines. Any concession of wage reductions will serve to delay this process of reorganization, by enabling the unfit to hold out a little longer.—Extracts, see 8, p. 323.

Con—continued

JOHN B. PRATT—continued from p. 313

vention may be required at any time to make transportation service at the mines more effective is already in the hands of the Interstate Commerce Commission.

As to coal prices at the mines, far from Federal owner-

Continued on next page

Pro—continued

J. A. H. HOPKINS—continued

posits have been "developed or withheld at will to be leased for such royalties as could be exacted, to be transported and distributed at such rates and in such manner as the double headed railroad and coal combination might find most advantageous from the point of view of private profit."

It might very appropriately have added the third member and designated this triumvirate as the triple headed banking, railroad, and coal combination, which we commonly call "Wall Street."

Which brings us once more to a realization of the fact that it is the private control of our railroad system by a small group of financiers who also, through a majority membership of our Federal Reserve Board, control our banking system, and through interlocking directorates likewise control our coal industry, that has led to the deplorable conditions which now confront us. Escape from these conditions has been impossible so far, simply because the same interests control both the Democratic and Republican Parties, which are unalterably opposed to the government ownership of our transportation system, our banking system, or our coal industry, because to adopt such a course would deprive their masters of the profits and perquisites which are inseparable from private ownership.

The situation demands a new and unflinching party of opposition pledged to restore our railroads and our banking system to public ownership, and to the government regulation, or preferably government ownership, of our coal industry.—Extracts, see 15, p. 323.

Con—continued

JOHN B. PRATT—continued

ship making the product cheaper, the tendency would be directly the other way. Under Government control, with 10,000 or more mines to operate and some 750,000 or more employes to deal with in their operation—this including the anthracite industry—the country's coal mines would develop into a ponderous machine which would churn out tons of coal without the incentive of competition and therefore without the benefit to the public of low, competitive mine prices.

Under competitive conditions as they exist in the bituminous industry the United States has had cheaper soft coal than any other country in the world.

With the bituminous mines of the country in severe competition, as they have always been, with individual owners in various fields selling one against another, the public cannot fail to have its coal at the same relatively low prices which, despite the wage increases, have generally prevailed at the mines.

Already there are upon the statute books enough laws to govern distribution of coal. No further Federal regulation is needed to make distribution more effective. Under the Esch-Cummins Law, ample authority was given the Interstate Commerce Commission to provide for the apportionment of coal cars at the mines in times of coal shortage emergencies.

What, then, is the thing to do with the coal industry? There is but one answer, if the real interests of the public are to be considered, and that is to leave the industry in the hands of private ownership or control and allow the inexorable forces of the law of supply and demand to have full play.—Extracts, see 6, p. 323.

Glossary—continued from page 316

a satisfactory explanation is not given, the man is told he cannot work in the mines unless he pays his dues. If he insists on working without the button and the company permits him to do so, all the union miners stop work.

By-product Oven—A coke oven consisting of a series of long narrow chambers arranged in rows, and heated by flues in which are burned a portion of the combustible gases generated by the coking of the coal. All of the volatile products are saved and collected as ammonia, tar and gas, etc.

Cannel Coal—A massive, noncaking tough, clean, block coal of fine, even, compact grain, dull lustre, having a typical low-fuel ratio, easy ignition, long yellow flame.

"Captive" Mines—Many mines producing coal for the railroads, for the iron and steel plants, by-product coke ovens, public utilities, and some industrials are owned and operated by and for those consumers. These have been termed "captive" mines because of this fixed connection.

"Check-off" is an arrangement under which the operator agrees to deduct from the wages of each miner, who signs a written authorization, the amounts that may be due from month to month from such miner to the union for regular dues, special assessments or fines that may be levied against him by the union. The aggregate amounts thus deducted from the individual miners are then paid over by the operator to the treasurer of the local union. The check-off is not synonymous with the closed shop

[viz. union shop]. The practice could exist in a mine run as an open shop [viz. non-union shop].

Coking Coal—The most important of the bituminous coals, which burns with a long yellow flame, giving off more or less smoke, and creates an intense heat when properly attended. It is usually quite soft, and does not bear handling well. In the fire it swells, fuses, and finally runs together in large masses.

Bituminous coal from which volatile constituents have been driven off by heat, so that the fixed carbon and the ash are fused together is called coke. It is commonly artificial, but natural coke is also known.

Collective Bargaining—The method or process of determining the specific conditions of the labor contract—particularly wages, hours, and working conditions—by direct negotiation between the representatives of one or more trade unions, on the one hand, and of an employer or association of employers on the other.

Conciliation—The settlement or attempt at settlement of an industrial dispute by mutual agreement between the two parties involved, without submitting the case to Arbitration. It may consist in direct negotiations between the two parties, without reference to any outside agency; or it may be the result of efforts on the part of an impartial intermediary, who acts as a go-between for the two disputants and endeavors to find some common ground upon which they may themselves reach an

Continues on next page

Glossary—continued

amicable settlement. If conciliation fails, arbitration is usually resorted to.

Dead work includes all the work that is done by miners which is apart from their main task of cutting, shooting and loading the coal. In union fields, the agreement usually attempts to define certain kinds of "dead work" that are to be paid for and prescribe the method of payment.

Dockage—Discipline that stops short of discharge may be of two forms: dockage, which is a punitive deduction from the miners' wages and suspension or lay off. Cars as they come to the breaker are given a superficial examination by the docking boss, who deducts a specified amount from those cars which appear to have rock or slate or to be underloaded. His decision is subject to check by the check docking boss, who examines the cars in the same way. Because the examination is necessarily superficial, there is some complaint about "excessive" dockage.

Mediation—In connection with industrial disputes, the intervention of some "outside" impartial person or body, with a view to promoting the settlement of a dispute by mutual agreement between the contending parties. There is a great deal of confusion in the current use of the terms "mediation" and Conciliation.

Occupational Names used in the Coal Commission's Report—Pick and machine miners, together with their assistants, are paid on a piece-rate basis and are what would be termed in other industries piece workers. They are referred to as either contract men or tonnage men. Although some contract miners are paid by the car and others by the yard, instead of by the ton, they are all grouped together under the term tonnage men. Every colliery has some miners, employed in various kinds of work, who are paid by the hour and not by the piece. These are called company miners and are included under day workers and not under tonnage or contract men.

There is a third class of miners, between the contract miner and the company miner. At times contract miners who because of abnormal conditions in their working places are placed temporarily on a day rate, usually somewhat above the day rate of company miners. The rates at which they are paid are known locally as consideration rates, and these miners are called consideration miners during the time they are on the day rate. But as ordinarily they are on a day rate for a comparatively short time and go back to their contract rates as soon as conditions in their working places become normal, their earnings on the whole represent the earnings of piece workers rather than day workers.

Most miners employ a laborer, who is an employee of the miner and not of the company. The laborer loads the coal blasted down by the miner, assists him in his work, and is employed, disciplined and dismissed by him.

The laborer is usually paid a percentage of the miner's earnings. The miner turns in a statement of the amount due his laborer, and this amount is deducted by the company from the miner's earnings and paid to the laborer directly by the company. The miner's laborers are piece workers and are included under the general term contract men or tonnage men. Practically all the other employees around the mines are paid by the day or hour and are

therefore time workers. These time workers are sometimes referred to as day men but more frequently as company men.

All contract men or tonnage men are underground workers. Company men or day men are subdivided into inside men and outside men, according to whether their working places are under ground or on the surface.

Operators' Check-off (Deductions from wages)—It is customary for the operators in both union and non-union fields to make certain deductions from the wages of the miners. The deductions include occupational charges, such as charges for smithing of tools, for powder, fuse, and for certain domestic and personal charges, like household coal, rent, bills at the company store, charge for support of the doctor, hospital, school and bathhouse.

Run-of-Mine Coal—Coal as it is dug in the mines, including lump and fine coal together, without any preparation or screening.

Selective mining—A method of mining whereby ore of unwarranted high value is mined in such manner as to make the low-grade ore left in the mine incapable of future profitable extraction. In other words, the best ore is selected in order to make good mill returns, leaving the low-grade ore in the mine. Frequently called robbing a mine.

Shot—A charge or blast. Balanced shot—a shot so placed that the hole containing the powder is parallel to one face of the coal to be broken. Blow-out shot—a shot which merely throws out the stemming without loosening much coal. Cutting shot—a shot arranged to loosen the coal prepared by the cutting and to scatter the coal in advance to facilitate the making of another cutting. Gouging shot—a gripping shot or opening shot in a straight face, as to start a break-through. Gripping shot—a shot which is farther from the face of the coal at the point than at the heel; also called wedging shot. Opening shot—the first gripping shot fired, in a straight face of coal. Slitting shot—a shot put into a large mass of coal detached by a previous blast. Windy shot—a shot which causes a concussion in the air, usually by an excessive amount of powder behind an easily loosened mass of coal.

Squeeze—The settling, without breaking, of the roof over a considerable area of working. Also called Creep, Crush, Pinch, and Nip. The gradual upheaval of the floor of a mine, due to the weight of the overlying strata.

Strikes—An interruption to operation caused by disagreement between the workers and the management. Strikes in the bituminous coal industry are of three main types, differing from each other in character, effects on subsequent relations, and on the public. They include (a) strikes to secure union agreement; (b) suspensions that occur at the expiration of an agreement because of failure of the two parties to agree on the terms of the renewal; and local or petty strikes that occurred because of some minor grievance, frequently within a period during which relations are governed by the terms of an agreement, in which case they are in violation of the agreement.—See Button Strike.

Thin Seam—A coal seam less than 3 feet in thickness.

Thick Seam—A coal seam of greater thickness than (say) 8 or 10 feet (sometimes as much as 130 feet), or

Continued on next page

Glossary—continued

those which are worked in two or more stages or lifts.

Timber—Wooden props, posts, bars, columns, etc., used to support mine workings. Steel joists or beams, have in some mines replaced wooden timbers.

Coal exchange—A market for the sale of coal; especially a place for transactions in coal on a large scale.

Coal face—The working face of a stall or room, composed wholly of coal.

Coal field—A region in which deposits of coal occur. Also called coal basin when of basin-like structure.

Coal dust—A finely divided coal. There is a diversity of opinion as to what the term "coal dust" means. Coal that will pass through 100-mesh screens (160 wires to the linear inch) is frequently accepted as representing

mine dust. For testing explosives at the Pittsburgh station foreign galleries the practice varies between this size and coal that passes through 200 mesh.

Ton—An avoirdupois unit of weight. A short or net ton equals 2,000 pounds. A long or gross ton equals 2,240 pounds. A metric ton equals 2,254.6 pounds.

Tonnage Men—Those engaged in actually mining the coal and loading it into the mine cars. The three large groups of these men are (1) Machine men, those engaged in operating the under-cutting machines; (2) pick miners, those engaged in undercutting by pick, and shooting and loading their own coal, and (3) loaders, those engaged in shooting and loading coal that has been undercut by machine.—*Extracts*, sec 9, 13, 14, 15, p. 323.

SOURCE MATERIAL

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U. S. BUREAU OF MINES—continued from p. 296

ing to the Government was transferred from the Bureau of Mines to the U. S. Geological Survey. In the five years since the passage of the leasing act of February 25, 1920, (41 Stat. L. 437), while the bureau was in charge of supervising the mining operations, the production of coal from leasing operations increased from 227,110 tons to 3,045,624 tons. Coal is now being mined under lease in 15 Western States and Alaska.

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- No. 10-11 (one number)—Congress and the Coal Problem
- No. 12—Opening days of the Sixty-ninth Congress; (See Announcement on Back Cover)
- 13—A Glossary of the Mining and Mineral Industry by Albert H. Fay, Bureau of Mines, Bulletin No. 95, 1920. 754 pp.
- 14—The Coal Industry by J. A. H. Hopkins. Issued by National Bureau of Information and Education, New York, N. Y. 15 pp.

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